

Training Module

UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

Facilitator's Handbook



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UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

Facilitator's Handbook

Prepared by the Secretariat of the United Nations
Permanent Forum on Indigenous Issues



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Acknowledgements

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List of acronyms

AIPP	Asian Indigenous Peoples' Pact
ESCR	Economic, Social and Cultural Rights
FPIC	Free, prior and informed consent
HRBA	Human Rights–Based Approach
ICCPR	International Covenant on Civil and Political Rights
ICERD	International Committee on the Elimination of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
ILO 169	International Labour Organization Convention 169 (on the rights of Indigenous and Tribal Peoples)
IPRA	Indigenous Peoples' Rights Act in the Philippines
IWGIA	International Work Group for Indigenous Affairs
UNESCO	United Nations Educational, Scientific and Cultural Organization
UN Charter	Charter of the United Nations
UNCT	United Nations Country Team
UNDG	United Nations Development Group
UNDHR	Universal Declaration on Human Rights
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples

1 DAY TRAINING



TIMETABLE SUMMARY/1 DAY TRAINING*

DURATION	TOPIC
30 mins.	Preliminaries
45 mins. <i>(30 mins. input and 15 mins. discussion)</i>	Overview of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)
1 hour <i>(30 mins. input and 30 mins. discussion/group work)</i>	Session 1: Self-determination and self-governance
1 hour, 30 mins. <i>(30 mins input, 30 mins discussion and 30 mins group work)</i>	Session 2: Land, territories and resources
1 hour, 45 mins. <i>(30 mins. input, 1 hour discussion and 15 mins. group exercise)</i>	Session 3: Development and free, prior and informed consent (FPIC)
1 hour <i>(30 mins. input and 30 mins. discussion)</i>	Session 4: Cultural rights
1 hour <i>(30 mins. input and 30 mins. discussion)</i>	Session 5: Special concerns: human rights and special sectors
30 mins.	Wrap up
TOTAL: 8 hours	



* See Timetable Summary for 2 Day Training on page 25 and Timetable Summary for 3 Day Training on page 49.

FACILITATOR'S GUIDE



DETAILED TRAINING CONTENTS FOR ONE DAY

Duration	1 DAY
General objectives	<ol style="list-style-type: none"> 1. To increase the understanding of collective rights and UNDRIP as a tool for advocacy. 2. To increase understanding of rights and principles contained in UNDRIP. 3. To plan and develop a strategy on the promotion of UNDRIP at the local level.
General outline	<ol style="list-style-type: none"> I. Introduction – brief historical context of UNDRIP. II. UNDRIP core articles. III. UNDG Guidelines on Indigenous Peoples Issues and UN Common Understanding on the Human Rights–Based Approach to Development. IV. Other related international human rights instruments – ICCPR, ESCR, ICERD, ILO 169. V. National laws, local laws and good practices. VI. Key challenges.
Materials	Metacards, craft paper, Pentel pens, chalk and board, Scotch tape, flip charts
List of references	<p>Human Rights Principles that Guide Development</p> <p>United Nations Philippines Rights–Based Development: Training Manual, July 2002</p> <ol style="list-style-type: none"> 1. <i>Training Manual on the UNDRIP</i>, AIPP 2. <i>Making the UNDRIP Work</i>, IWGIA 3. <i>Concept Book on Indigenous Peoples in Asia</i>, by Christian Erni 4. <i>Community Guide to UNDRIP</i>, Australian Human Rights Commission, 2010

DAY 1	Preliminaries	Duration: 30 mins.
	METHODOLOGY	
	Welcome and introduction	<p>Participants introduce themselves by telling their name, indigenous identity and organization. They also write their names on name tags and wear them for the duration of the training.</p> <p>Other fun-type introduction exercises could also include:</p> <ul style="list-style-type: none"> • Introduction exercise 1: Participants tell their names and characterize letters in their name (e.g., Eve – Ever helpful, Very nice, Ever smiling). • Introduction exercise 2: Participants tell their names and spell it with their hands/body (e.g., YMCA). <p>If there is a team of facilitators, they should be introduced at this point and advise the topics for which they will be responsible. All members of the training team should also be introduced and also outline their specific tasks.</p> <p>Following introductions, relevant logistics information should be shared by the host of the training or facilitator to include schedules, meal times, accommodation arrangements, materials, translations, use of equipment/facilities, among others (the logistical information should be prepared ahead of the training).</p>
Objectives and expectations	<p>The objectives and training schedule should be outlined and explained to the participants and a copy could either be handed out to the class or placed on the board for the participants.</p> <p>Participants also list their expectations of training which should be placed on the board and summarized so they correspond to various areas in the training module to indicate attempts to reach everyone’s expectations (where possible).</p> <p>The facilitator should also present expectations of the participants such as active participation, respecting the views of others, etc.</p> <p>Briefly discuss the participants’ handbook and how the sessions are divided. Make sure there are extra pens and paper for making notes (in some instances, give the participants time to write so they can concentrate on the lectures and discussions).</p> <p>Copies of UNDRIP, ILO C169 and UNDG Guidelines should be made available to the participants so they can follow the discussions.</p> <p>Divide the participants into groups and assign them small tasks for the duration of the training. Tasks could include making sure all participants are in the session hall and that materials are given to everyone; assisting in pasting craft paper and other materials to the board, walls, etc.</p> <p>Another group could be the “ice breaker” group that prepared exercises to break up heated discussions, to “wake up” the class if participants are feeling tired, to energize the participants following lunch breaks, etc. Another group could be assigned as timekeepers and cleaners of the session hall.</p>	





Overview of the United Nations Declaration on the Rights of Indigenous Peoples

Duration	45 mins. <i>(30 mins. input and 15 mins. discussion)</i>
Objectives	<ol style="list-style-type: none"> 1. Provide an overview of UNDRIP as an international instrument on the rights of indigenous peoples. 2. Provide basic understanding in terms of the structure of UNDRIP (preambular section and articles) and its contents.
Key messages	<ol style="list-style-type: none"> 1. Present an overview of the contents of UNDRIP. <ol style="list-style-type: none"> a. Preambular section. b. Articles. 2. Cluster articles into thematic areas and consider indigenous peoples' collective rights in each of the thematic areas. 3. Present UNDRIP as part of the international human rights instruments and the obligations of states in respecting these rights.

METHODOLOGY

1. At the commencement of the exercise ask participants to write on the metacards, 1 to 2 examples of the collective rights of indigenous peoples. Collect the metacards and post on the wall. This will be referred to in the later section of this topic.
2. Present a brief history of UNDRIP, in particular the engagement of indigenous peoples in the drafting stage and until its adoption by the United Nations General Assembly in September 2007.
3. Outline the general content of UNDRIP.
4. Make a summary of the collective rights of indigenous peoples by themes: self-determination, land territories and resources, cultural integrity, etc.
5. Present UNDRIP as part of the international human rights instruments as the minimum standard for respecting indigenous peoples' rights.
6. Clarify any thoughts, queries, etc., about UNDRIP in general (e.g., its context, as an international instrument and general content). Specific questions on the various articles will be taken up in the other sections of the training.

**SESSION 1:
Self-determination and self-governance**

Duration	60 mins. <i>(30 mins. input and 30 mins. open discussion/work group)</i>
Objectives	<ol style="list-style-type: none"> 1. At the end of the session, participants will be able to understand concepts such as the right to self-determination and self-governance. 2. Participants will be able to cite examples of how these rights are practiced in general and how indigenous peoples' organizations/groups are implementing UNDRIP at the local and national levels. 3. Participants will be able to articulate how their organizations/groups are meeting the challenges in exercising their rights as set out in UNDRIP.
Key messages	<ol style="list-style-type: none"> 1. Present the core principles of the right to self-determination and self-governance. 2. Enumerate provisions from the various international instruments addressing these rights. 3. Provide actual examples of how these rights are exercised (e.g., regional autonomy in Nicaragua, autonomy provisions in India, etc.).



METHODOLOGY

I. Brief historical understanding of the concept of self-determination and self-governance	<p>The trainer could give a lecture or PowerPoint presentation of the terms self-determination and self-governance and how they were developed in international law. Make suggestions on how such concepts could be understood at the national and regional levels.</p> <p>List on the board or on craft paper the dates when the various covenants and declarations were adopted by the United Nations. Go back to these throughout the session especially on the section of other international instruments.</p> <p>Emphasize the two core principles necessary for the exercise of indigenous peoples' rights, such as (a) non-discrimination and equality and (b) accountability. Explain what these entail and how they are practiced.</p>				
II. UNDRIP core articles	Outline the core UNDRIP articles on self-determination and self-governance.				
III. Key messages in the rights of indigenous peoples	<p>Taken from UNDG Guidelines.</p> <table border="1" style="width: 100%;"> <tr> <td>Issues</td> <td>Self-determination, self-government, autonomy, self-management</td> </tr> <tr> <td>Basic information</td> <td> <p>The long traditions of indigenous peoples' forms of self-government have been interrupted, limited or denied by colonial or post-colonial states.</p> <p>In recent years, there have been attempts to re-establish forms of self-determination and self-governance through mutual agreements between states and indigenous peoples where indigenous peoples and communities determine their own futures in accordance with their own processes, and in line with key principles of the UN Declaration on the Rights of Indigenous Peoples. Self-determination expressed in this way is vital for the continued existence of indigenous peoples as distinct peoples.</p> </td> </tr> </table>	Issues	Self-determination, self-government, autonomy, self-management	Basic information	<p>The long traditions of indigenous peoples' forms of self-government have been interrupted, limited or denied by colonial or post-colonial states.</p> <p>In recent years, there have been attempts to re-establish forms of self-determination and self-governance through mutual agreements between states and indigenous peoples where indigenous peoples and communities determine their own futures in accordance with their own processes, and in line with key principles of the UN Declaration on the Rights of Indigenous Peoples. Self-determination expressed in this way is vital for the continued existence of indigenous peoples as distinct peoples.</p>
Issues	Self-determination, self-government, autonomy, self-management				
Basic information	<p>The long traditions of indigenous peoples' forms of self-government have been interrupted, limited or denied by colonial or post-colonial states.</p> <p>In recent years, there have been attempts to re-establish forms of self-determination and self-governance through mutual agreements between states and indigenous peoples where indigenous peoples and communities determine their own futures in accordance with their own processes, and in line with key principles of the UN Declaration on the Rights of Indigenous Peoples. Self-determination expressed in this way is vital for the continued existence of indigenous peoples as distinct peoples.</p>				



III. Key messages in the rights of indigenous peoples
(continued)

Guiding principles

The principle of self-determination can be implemented in practice through a range of mechanisms including the following:

- Autonomy arrangements.
- Self-government.
- Self-management.
- Control over or input into basic services such as education and health.
- Recognition and maintenance of traditional and political decision-making bodies and legal systems.
- Full and effective participation in public life.

These arrangements require states and indigenous peoples to agree on appropriate terms and conditions for such actions. It has been noted that negotiated settlements are being increasingly discussed and could form the basis for reconciling past relationships between states and indigenous peoples.

The UN Declaration on the Rights of Indigenous Peoples calls on states to consult with indigenous peoples to obtain their free and informed consent prior to approval of any project affecting their lands and resources.

Sources: United Nations Declaration on the Rights of Indigenous Peoples, Articles 3, 4, 18, 19, 23 and 32); International Covenant on Economic, Social and Cultural Rights, Article 1.

IV. UNDG Guidelines on Indigenous Peoples Issues and UN Common Understanding on the Human Rights–Based Approach to Development

Discuss the UNDG Guidelines on the Human Rights–Based Approach to Development. Ask the participants to explain how these guidelines might apply to them.

V. Other related international human rights instruments – ICCPR, ESCR, ICERD, ILO 169

Summarize the instruments and concepts as listed below. Prepare a .ppt or .odp file to show the participants the summarized format. If there are no computers, you can write them on craft paper or the blackboard. Ask participants if their government has ratified any of these instruments and how it is implemented.

The right to self-determination and governance may be expressed through:

1. Autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions. In other cases, indigenous peoples seek the conditions for self-management.
2. Respect for the principle of free, prior and informed consent. This principle implies that there is an absence of coercion, intimidation or manipulation, that consent has been sought sufficiently in advance of any authorization or commencement of activities. Further, there is respect for the time requirements for indigenous consultation/consensus processes and that information on the likely impact of the actions being negotiated has been provided and understood.
3. Full and effective participation of indigenous peoples at every stage of any action that may affect them directly or indirectly. The participation of indigenous peoples may be through their traditional authorities or a representative organization. This participation may also take the form of co-management.
4. Consultation with the indigenous peoples prior to any action that may affect them, directly or indirectly, and that consultation ensures their concerns and interests match the objectives of the activity or action planned.

<p><i>V. Other related international human rights instruments – ICCPR, ESCR, ICERD, ILO 169 (continued)</i></p>	<ol style="list-style-type: none"> 5. Formal recognition of indigenous peoples’ traditional institutions, internal justice and conflict resolution systems, and their socio-political organization. 6. Recognition of the right of indigenous peoples to define and pursue their economic, social and cultural development freely.
<p>VI. National laws, local laws and good practices</p>	<p>Cite some national laws and policies that address the right to self-determination and self-governance. Discuss possible good practices as well the implementation of this right by the government and/or indigenous peoples’ communities.</p>
<p>VII. Key challenges</p>	<p>Use the same table above to discuss possible key challenges. End the session by reviewing the objectives (check if these were achieved during the session).</p>
<p>EXERCISES</p>	
<p>Group exercises — 20 minutes</p>	<p>Participants to be divided into groups to discuss the following:</p> <ol style="list-style-type: none"> 1. What are their indigenous/traditional systems of governance/decision-making institutions and customary laws? 2. What are their traditional systems in maintaining peace, security and cooperation among the members, and how do they relate with other indigenous peoples or outside groups? 3. What are the threats and challenges to the exercise of their governance system? 4. How should these threats and challenges be addressed to strengthen their self-governance in order to be able to exercise and assert their right to self-determination?
<p>Presentation of groups — 10 minutes</p>	<p>Facilitator to complete exercise with brief summary that emphasizes threats and challenges to indigenous peoples exercising their right to self-determination.</p>





SESSION 2: Land, territories and resources													
Duration	One hour, 30 mins. <i>(30 mins. input, 30 mins. discussion and 30 mins. group workshop)</i>												
Objectives	<ol style="list-style-type: none"> To increase understanding of indigenous peoples’ rights to land, in particular those aspects that are crucial to indigenous peoples’ identity and survival. To increase understanding of indigenous peoples’ rights to land and resources and how these rights can be protected by UNDRIP and other international and local laws. To identify areas for implementation and how these can be better addressed. 												
Key messages	<ol style="list-style-type: none"> Present the principle of the right to land, territories and resources as one of the key areas of indigenous peoples’ rights. Present the challenges in implementing these rights. 												
METHODOLOGY													
I. Brief historical understanding of land, territories and resources	<p>Exercise: Before the session, ask the participants to name the resources found in their territories. How are these resources protected by the communities? How are these resources passed on to the next generation?</p> <p>Discuss the historical context of the right to lands, territories and resources. Elicit comments from the participants to contribute to the discussion.</p> <p>Discuss the core principles on the right to lands, territories and resources:</p> <ol style="list-style-type: none"> Mutual respect and consensus. Participation and intervention. Development. <p>Exercise: Ask the participants if the community has a zoning system/boundary for their territories. Ask them to draw the zoning/boundary system on the board.</p>												
II. UNDRIP core articles	<p>Exercise: UNDRIP articles should be written on small pieces of paper. Participants to pick a piece of paper with a particular article. They should be given 5 minutes to gather their thoughts before their presentation. Have the participants read related articles of UNDRIP and ask them to relate this article to their situation, experiences and concerns. Make sure to have both men and women, and youth included in the discussions.</p>												
III. UNDG Guidelines on Indigenous Peoples’ Issues and UN Common Understanding on the Human Rights–Based Approach to Development	<p>Discuss the UNDG Guidelines on the Human Rights–Based Approach to Development.</p> <p>TABLE 1. Have the participants fill in the table below:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;"><i>MATERIALS/RESOURCES</i></th> <th><i>What are the national laws, policies and programmes affecting their lands, territories and resources (give both positive and negative examples)</i></th> </tr> </thead> <tbody> <tr> <td>LANDS and RESOURCES</td> <td></td> </tr> <tr> <td>FOREST</td> <td></td> </tr> <tr> <td>CULTURAL ARTIFACTS, SPIRITUAL SITES</td> <td></td> </tr> <tr> <td>HISTORICAL SITES</td> <td></td> </tr> <tr> <td>MINERAL WEALTH</td> <td></td> </tr> </tbody> </table>	<i>MATERIALS/RESOURCES</i>	<i>What are the national laws, policies and programmes affecting their lands, territories and resources (give both positive and negative examples)</i>	LANDS and RESOURCES		FOREST		CULTURAL ARTIFACTS, SPIRITUAL SITES		HISTORICAL SITES		MINERAL WEALTH	
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<p><i>III. UNDG Guidelines on Indigenous Peoples' Issues and UN Common Understanding on the Human Rights-Based Approach to Development</i> (continued)</p>	<p>GROUP WORK:</p> <p>In groups, participants to discuss the following:</p> <ol style="list-style-type: none"> 1. What are their traditional resource management systems? 2. What is the role of community members in the traditional resources management systems? 3. What are the key steps/actions required to strengthen their traditional systems of resources management?
<p>IV. Other related international human rights instruments – ICCPR, ESCR, ICERD, ILO 169</p>	<p>Have the participants read the articles and then explain how they best understand them.</p> <ol style="list-style-type: none"> A. International Covenant on Economic, Social and Cultural Rights (ICESCR) B. ILO 169 or C169 Indigenous and Tribal Peoples Convention, 1989
<p>V. Examples of good practices/national laws/policies (see annex for list of laws and policies recognizing indigenous peoples' rights to their land, territories and resources)</p>	<p>Exercise: Participants read articles from the <i>Anchorage Declaration of 24 April 2009</i> and then discuss whether they have similar laws related to these key issues. What are they doing as indigenous peoples' organizations to achieve, actualize and have their legislature create laws related to these?</p> <p><i>Paragraph 11. We call on States to recognize, respect and implement the fundamental human rights of Indigenous Peoples, including the collective rights to traditional ownership, use, access, occupancy and title to traditional lands, air, forests, waters, oceans, sea ice and sacred sites as well as to ensure that the rights affirmed in Treaties are upheld and recognized in land use planning and climate change mitigation strategies. In particular, States must ensure that Indigenous Peoples have the right to mobility and are not forcibly removed or settled away from their traditional lands and territories, and that the rights of Peoples in voluntary isolation are upheld. In the case of climate change migrants, appropriate programs and measures must address their rights, status, conditions, and vulnerabilities.</i></p> <p><i>Paragraph 12. We call upon states to return and restore lands, territories, waters, forests, oceans, sea ice and sacred sites that have been taken from Indigenous Peoples, limiting our access to our traditional ways of living, thereby causing us to misuse and expose our lands to activities and conditions that contribute to climate change.</i></p>
<p>VI. Key challenges in implementations</p>	<p>Plenary discussion: What are the key challenges and threats towards the exercise and respect of the rights of indigenous peoples on their lands, territories and resources?</p>
<p>EXERCISE</p>	
	<p>In groups, the participants design an action plan for an information campaign on the rights of their community</p>





SESSION 3: Development and FPIC

Duration	One hour, 45 mins. <i>(30 mins. input, 1 hour discussion and 15 mins. group exercise)</i>
Specific objectives	<ol style="list-style-type: none"> 1. To introduce participants to the pertinent provisions related to development and FPIC. 2. To be able to cite examples of how indigenous peoples' organizations/groups are meeting the challenges posed by encroachment onto their lands and territories especially if no FPIC was required by the state. 3. To be able to formulate a plan of action for engaging state or duty-bearers on FPIC.
Key messages	<ol style="list-style-type: none"> 1. Provide the core principles of FPIC and the right to development as an exercise of the right to self-determination of indigenous peoples. 2. Provide the legal framework of FPIC and the right to development.

METHODOLOGY

	<p>Objectives setting: Ask the participants if they have questions on the topic before the start of the lecture/discussion.</p> <p>Explain the objectives for the session.</p>								
I. Brief historical context	<p>Discuss the context of the right to development and free, prior and informed consent.</p> <p>Exercise: Have the participants develop a problem tree. Let them categorize the problems as to those that are currently being addressed and those that still need to be addressed. Use the result of the problem tree later in the last part of this module. With this exercise, participants enumerate the problems their communities and organizations encounter. Interventions will be discussed at the later part of the module.</p>								
II. UNDRIP core articles	<p>The participants read the core articles. Select participants who will read out key articles and explain the article according to their understanding, and to relate it to their situation, issues and concerns.</p> <p>Before providing the input on FPIC, participants to write their understanding of FPIC in a metacard, and post this on the board or wall. Provide the input on FPIC and relate it to what the participants have written.</p> <p>Table 1. Use the following table to explain the concept of FPIC.</p> <table border="1"> <tr> <td>Free</td> <td>No coercion, intimidation or manipulation.</td> </tr> <tr> <td>Prior</td> <td>Time requirements of indigenous consultation/consensus processes were sufficiently considered and respected, thus advanced consent has been obtained before commencing activities.</td> </tr> <tr> <td>Informed</td> <td>The following aspects of information are provided: the nature of the proposed project or activity; the reasons or purpose of the project or activity; the duration; areas to be affected, preliminary assessment of possible impact, potential risk, benefits; personnel likely to be involved including the indigenous peoples, and procedures that the project will entail.</td> </tr> <tr> <td>Consent</td> <td>The demonstration of clear and compelling agreement which is reached with the full and effective participation of the authorized leaders, representatives or decision-making institutions as decided by the indigenous peoples themselves.</td> </tr> </table>	Free	No coercion, intimidation or manipulation.	Prior	Time requirements of indigenous consultation/consensus processes were sufficiently considered and respected, thus advanced consent has been obtained before commencing activities.	Informed	The following aspects of information are provided: the nature of the proposed project or activity; the reasons or purpose of the project or activity; the duration; areas to be affected, preliminary assessment of possible impact, potential risk, benefits; personnel likely to be involved including the indigenous peoples, and procedures that the project will entail.	Consent	The demonstration of clear and compelling agreement which is reached with the full and effective participation of the authorized leaders, representatives or decision-making institutions as decided by the indigenous peoples themselves.
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Consent	The demonstration of clear and compelling agreement which is reached with the full and effective participation of the authorized leaders, representatives or decision-making institutions as decided by the indigenous peoples themselves.								

III. UNDG Guidelines and the UN Common Understanding on the Human Rights–Based Approach to Development	Explain the UNDG Guidelines and HRBA to development.
IV. Other related international human rights instruments – ICCPR, ESCR, ICERD, ILO 169	Read the articles of the ILO 169, the International Covenant on Social, Economic and Cultural Rights and other international instruments and how they deal with indigenous peoples’ rights.
V. Key challenges	<ol style="list-style-type: none"> 1. What information is required by indigenous communities, and how should this be delivered, in order to ensure informed collective decisions? 2. How to ensure that indigenous peoples’ decision-making processes are independent from external interference and manipulation? 3. How to ensure that indigenous peoples are given the time and space for their own deliberations in order for community members to express their views and concerns freely without fear or reservation, and to determine and conduct their own decision-making processes collectively. 4. Capacity-building for indigenous peoples and their communities to negotiate FPIC including all members of the community, especially women and youth.
VI. Key messages	<ol style="list-style-type: none"> 1. Express deep concern that the economic policies of states under the pressures of globalization, international finance capital and lending agencies accentuate internal colonization of indigenous peoples homelands, exploitation of their natural resources by national and multi-national corporations, exploitative tourism, harmful structural adjustment, unwarranted cutbacks to social services. The results of such actions often lead to forced dislocation, impoverishment and human rights violations such as debt, bondage, forced labour, force prostitution and child labour. 2. Express deep concern about state-sponsored transmigration of impoverished groups into the homelands of indigenous peoples that leads to the appropriation of lands and resources and results in displacement and marginalization of indigenous peoples threatening their physical and cultural survival. 3. Express deep concern at the human rights violations of indigenous peoples, such as racism, and the imposition of the dominant paradigm by the agencies of the state which threatens indigenous peoples’ identity, cultures, values and ethos.





SESSION 4: Cultural rights	
Duration	60 mins. <i>(30 mins. input and 30 mins. discussion)</i>
Specific objectives	<ol style="list-style-type: none"> 1. To increase the participants' understanding of their cultural rights. 2. Knowledge of the provisions in UNDRIP, ILO C169, UNDG Guidelines and other relevant treaty monitoring bodies addressing cultural rights. 3. Understand the challenges in implementing indigenous peoples' cultural rights.
Key messages	Culture is a basic component of indigenous peoples' identity because it is what distinguishes them as a people. The indigenous peoples' cultural integrity is manifested through the expression of their way of life and understanding, their world views and their languages. The various cultural forms they create and practice such as their literature both written and oral, music and arts are products of their environment and their perceptions of the world. Cultural integrity is hinged on the right to self-determination which enables indigenous peoples to assert the existence of their economic systems and forms of self-government.
METHODOLOGY	
I. Introduction – brief historical context	<p>Opening question to participants: WHAT does CULTURE mean to you? In order to make the topic more interesting, ask the participants to consider some traits of their distinct cultures (song, dance, etc) and ask them the significance/importance of their cultural practices</p> <p>Objective setting: Explain the aims of the workshop then summarize the different responses to the opening question.</p> <p>What are the components of culture? Focus on the culture of indigenous peoples and how they have practiced this over many periods and places.</p> <p>Cite the historical evidence and accounts where indigenous peoples' cultural rights have been violated.</p>
II. Scope and core principles	<p>Ask the participants about their observations of their cultural practices and the extent to which they are exercising these practices.</p> <p>Enumerate the rights relevant to culture and evoke reactions or discussion from participants:</p> <ul style="list-style-type: none"> • The freedom to persist in, and also to develop, their own language, world view, religion or belief system and spiritual traditions, philosophy and ethical system; knowledge and learning systems, science and technology; customs, practices or habitual ways of doing things; music, literature, performing, visual and other arts. • The right to the recognition of their "ownership" or "authorship" of the above; • The right to their heritage as embodied by and transmitted through their history and oral traditions; artifacts and archaeological sites; education in these and in their culture as a whole; • The right to respect their culture and its integrity; the right not to be forced or pressured into acculturation – i.e., to being assimilated or integrated into another, usually more dominant, culture and, in the process, losing their own; the right not to be discriminated against; the right not to have their culture, or even just aspects of it, prostituted; • The right to legal redress for preventing or stopping the violation of the above, and for restitution (including restoration or reparation) for ongoing or past violations.

<p><i>II. Scope and core principles (continued)</i></p>	<p>Then explain how these principles would assert indigenous peoples’ cultural integrity.</p> <p>Exercise: Participants can be asked to illustrate on the board or on craft paper how they perceive culture and its relation to their identity and distinct ways of life and how the youth/young people are practicing/ignoring their cultures.</p>
<p>III. UNDRIP core articles on cultural rights</p>	<p>Ask the participants about their level of awareness on UNDRIP provisions on culture. Let them cite a few, if familiar.</p> <p>Present UNDRIP provisions on cultural rights. Let the participants read each provision aloud. Allow for discussions; ask for illustrations or examples of UNDRIP provisions.</p> <p>Specifically for Article 31, ask participants for concrete measures on these:</p> <ol style="list-style-type: none"> 1. Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions. 2. In conjunction with indigenous peoples, States shall take effective measures to recognize and protect the exercise of these rights.
<p>IV. Other related international human rights instruments</p>	<p>Aside from UNDRIP, ask participants if they are familiar with other legal instruments that allow or provide for the recognition of cultural rights?</p> <p>Enumerate and explain the following:</p> <ul style="list-style-type: none"> • International Convention on the Elimination of All Forms of Racial Discrimination. • International Covenant on Economic and Social Cultural Rights. • Multilateral Convention on Biological Diversity. • UNESCO provisions on culture. • International Labour Organization Conventions 107 and 169 provisions on indigenous and tribal people’s culture.
<p>V. Reference to UNDG Guidelines and HRBA</p>	<p>Guiding Principles concerning Traditional knowledge, intellectual property, intangible heritage and cultural expressions</p> <ul style="list-style-type: none"> • Indigenous peoples’ rights to control, own and manage their traditional knowledge and creativity are recognized, although in practice they remain difficult to implement. • Indigenous peoples have the right to use and preserve their languages and states should respect this right. • Specific legal regimes need to be established to ensure that indigenous peoples are able to benefit from their own knowledge, prevent its unlawful use by others and obtain the rightful recognition by the international community. • States are called upon to create an environment that encourages individuals and social groups to create, produce, disseminate, distribute and have access to their own cultural expressions, paying due attention to the specific circumstances and needs of indigenous peoples. • They are furthermore called upon to ensure the widest possible participation of communities to maintain and transmit their intangible heritage, if so wished by the peoples involved, and involve them in a meaningful way in its management





V. Reference to UNDG Guidelines and HRBA (continued)

Guiding Principles concerning Education

- Indigenous peoples have the right to all levels of education and to develop their own educational facilities, if they so wish.
- Education should be culturally appropriate to indigenous children, adapted to their cultures, and bilingual when appropriate.
- Education should also have the broader objective of eliminating prejudices against indigenous peoples.
- In some countries special measures have been taken to improve indigenous peoples' access to education including for nomadic and semi-nomadic peoples.

In some countries, intercultural education is seen as the means to give recognition to indigenous cultures in the wider education system.

VI. Examples of national laws/policies/good practice

(see annex for some examples of national laws and policies on indigenous peoples)

Ask the participants to cite laws or instruments that allow for the practice or observation of cultural forms in their own communities. Then cite laws in other countries. An example would be that of India where the government holds cross-district cultural exchange festivals among students, in an affirmation of diversity. Or in the Philippines, the Indigenous Peoples' Rights Act (IPRA) spells out these rights. The IPRA allows indigenous communities to exercise control over the education of their children. Whether in the schools that the communities themselves have established or in those that were built within their locality by a church or by the government, teachers are allowed to conduct lower grade classes in the indigenous languages so that students can grasp basic ideas more readily. Also, the communities can intervene when false information and discriminatory ideas about their people and history are part of the school curriculum.

Do participants have similar experiences where laws and policies are directed towards the recognition of cultural rights?

VII. Key challenges in implementation

GROUP EXERCISE:

GROUP I: Ask the participants what programme of action they can launch in relation to the assertion of their cultural rights to counteract the commercialization of their culture.

GROUP II: Participants to discuss how the indigenous youth of today can learn and be proud of their culture and be more engaged in the cultural life of their communities. This is an important way of passing indigenous culture and knowledge to the next generations.

Consider strategies and mechanisms that can be implemented in their own communities and/or organizations to assert their cultural rights.

What are the key requisites for realizing the provisions of UNDRIP on cultural rights?

Some suggested strategies for participants to bring home as a programme of recommendation and action:

1. Information dissemination, education on cultural rights not only among indigenous communities but also among the wider population.
2. National, local status assessment, problem identification and strategizing, lobbying national, local legislative bodies to address cultural rights as articulated in UNDRIP;
3. Drumming up support to lobby through the media, community and petition-signing campaigns, etc.

VII. Key challenges in implementation
(continued)

4. Following successful lobbies, educating local and national executive/enforcement authorities, also educators, mass-media practitioners and religious authorities on indigenous peoples' cultural rights: the rights, per se, as contained in UNDRIP, as contained in the national constitution (where applicable), and as provided for in specific national and local laws.
5. Conceptualizing, planning and implementing actions and projects in the exercise of cultural rights and in gaining redress for any violations. Examples of such actions and projects include:
 - » Indigenous roots renewal programme for urban youth;
 - » Textbook-correction and teachers' re-education projects aimed at rectifying discriminatory notions, misconceptions, misinformation, inaccuracies about indigenous peoples and their cultures;
 - » Projects in revitalizing and gaining recognition and respect for indigenous learning systems and institutions;
 - » Community dialogues, discussions with educational and religious authorities, media practitioners;
 - » Campaign for the return of religious, other sacred, historical and other culturally important artifacts in museums, collections, laboratories;
 - » Campaign for the return of human remains in museums, collections, laboratories;
 - » Campaign for the International Rice Research Institute, other plant-breeding institutions, commercial seed companies to return and help communities re-propagate the seeds they have taken, purportedly for ex-situ conservation, then replaced with their own Green Revolution seeds or hybrids;
 - » Campaign for the revocation of private individual or corporate or institutional patents to genetic resources for food and medicine which can be identified and ascertained as material originally discovered, domesticated/cultivated, bred/developed and propagated by indigenous communities;
 - » An alternative option would be to demand to be given a just share of the benefits from the use of indigenous peoples' "intellectual property".
6. Cultural practices, traditions and values can play a critical role in sustainable development, gender equality and human rights:
 - » Assist in promoting cultural and social values that maintain indigenous peoples' identities;
 - » Use advocacy and communication tools or channels that are tailored to indigenous peoples' values and norms;
 - » Understand and promote cultural diversity in society as a resource for development;
 - » Identify and promote culturally sensitive alternatives where appropriate;
 - » Ensure data are disaggregation;
 - » Indigenous cultures are not static; they are changing and capable of adapting – however, these changes should not be forced but should result from the aspirations of the community itself.



EXERCISE

In a plenary discussion, discuss what can be done to protect, revive and strengthen the culture of indigenous peoples.



SESSION 5: Special concerns: human rights and special sectors

Duration	60 mins. <i>(30 mins. inputs and 30 mins. discussion)</i>
Specific objectives	<ol style="list-style-type: none"> 1. To understand the key concepts of human rights and the rights of those belonging to the special sector. 2. To know the provisions in UNDRIP, ILO C169, UNDG Guidelines and other relevant treaty monitoring bodies addressing human rights and the rights of the special sector. 3. Participants to understand the challenges in the implementation of human rights and the rights of those belonging to the special sector.
Key messages	<p>HUMAN RIGHTS: Human rights are premised on the concept that all human beings are born free and equal in dignity and rights. All persons are entitled to human rights regardless of race, colour, gender, language, age, religion, political or other opinions, social origin, property, birth or other status.</p> <p>Human rights define the needs of people and recognize them as active subjects and claim-holders.</p> <p>Indigenous peoples are entitled to the full range of universal human rights established under international law and have distinct collective rights as peoples. They should not be subject to any form of discrimination, should receive equal treatment, should be able to participate fully in public life, and have the right to maintain their distinctive identities, cultures, languages and ways of life and to be assured of dignity and equality. These rights are established in the UN Charter and the subsequent human rights treaties.</p> <p>The Declaration on the Right to Development states that “every person and all peoples are entitled to participate in, contribute to, and enjoy civil, economic, social, cultural and political development in which all human rights and fundamental freedoms can be fully realised”.</p> <p>SPECIAL SECTORS: There are special sectors that need particular attention and support in the assertion of their rights as indigenous peoples because they are the most marginalized, discriminated against, neglected and most vulnerable to rights violations. They also have their own particular issues and concerns that need to be addressed in the pursuit of equality and dignity for all sectors in society.</p>
METHODOLOGY	
A. HUMAN RIGHTS:	
I. Introduction – brief historical context	Begin the discussion by asking participants their concept or knowledge of human rights. This can be done by asking participants for words that they associate with the concept. Ask them why they came up with these concepts.
II. Scope and core principles	<p>Explain the essential difference between individual and collective human rights.</p> <p>Emphasize: The core international human rights instruments protect the rights of the individual and establish the state’s obligations to guarantee, protect and respect such rights. Indigenous peoples’ rights seek to protect not only individual, but also their collective, rights because recognition of such ensures the continuing existence, development and well-being of indigenous peoples as distinct collectivities. Past experience has shown that unless the collective rights of indigenous</p>

<p><i>II. Scope and core principles</i> (continued)</p>	<p>peoples are respected, there is a risk that such cultures may disappear through forced assimilation into the dominant society. Through international declarations, and in some cases national laws and regulations, all states are committed to the promotion of cultural diversity.</p>
<p>III. UNDRIP core articles</p>	<p>Via PowerPoint or flash cards or on craft paper, facilitator presents UNDRIP articles. Ideally, participants should be provided with copies of UNDRIP.</p> <p>Facilitator can ask participants to cite cases where articles have been observed or violated. This can be done individually or as a group discussion.</p>
<p>IV. Other international and national human rights instruments</p>	<p>a. <i>Universal Declaration of Human Rights 1948</i></p> <p>b. <i>Convention on Civil and Political Rights</i> (Adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966)</p> <p>c. <i>Convention on Economic and Social Cultural Rights</i> (Adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966)</p> <p>d. <i>Vienna Declaration and Programme of Action, July 1993</i></p> <p>Other instruments:</p> <ul style="list-style-type: none"> • The adoption of ILO Convention No. 169 on Indigenous and Tribal Peoples in 1989. • The 2005 Heads of State World Summit, in which governments committed to making progress in advancing the human rights of indigenous peoples. • The proclamation by the General Assembly of the Second International Decade of the World’s Indigenous People (2005–2014). • The adoption of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) by the General Assembly in September 2007. UNDRIP sets out the rights that countries should aspire to recognize, guarantee and implement. It establishes a framework for discussions and dialogue between indigenous peoples and States. • The Special Rapporteur on Indigenous Peoples was established by the Commission on Human Rights (now the Human Rights Council) and has the mandate to undertake country visits to gather information and communications regarding violations of indigenous peoples’ human rights; to report on trends and take up cases directly with governments in relation to human rights violations; to formulate recommendations on measures to prevent and remedy these violations; and to work in close relation with other special procedures and other human rights bodies.
<p>V. UNDG Guidelines on Indigenous Peoples’ Issues and Human Rights–based Approach (HRBA)</p>	
<p>VI. Examples of national laws/policies/good practice</p>	<p>Facilitator asks participants to cite laws in their country that pertain to human rights, or collective rights. As an exercise in distinguishing individual and collective rights, participants can role play.</p>
<p>VII. Key challenges in implementation</p>	<p>Ask participants their positive and negative experiences on the exercise of their rights, whether as individual or members of an indigenous community. Draw out what measures are needed in the protection and assertion of their human rights.</p>





METHODOLOGY	
B. SPECIAL SECTORS: WOMEN, YOUTH, ELDERLY AND DISABLED	
I. Introduction – brief historical context	<p>As an introduction to the topic, participants are asked to describe briefly the situation of women, youth, elders and the disabled, respectively, in their communities. Answers to be written on craft paper and posted as reference material.</p> <p>Discussion:</p> <ul style="list-style-type: none"> • Indigenous women bear the double burden of discrimination due to their ethnicity and gender. • Indigenous children represent the future of society and should thus be nurtured and their welfare protected. • Indigenous youth are valuable members of indigenous societies because of their physical strength, vigour, fresh ideas and readiness to learn. They should be guided in their life choices for the interests of their community and society. • Indigenous elders continue to be essential forces in the livelihood and economic activity of indigenous communities. • The disabled should be assisted in developing their abilities in the most varied fields of activities and their integration into society should be promoted where possible.
II. Scope and core principles	<p>Facilitator can suggest role-playing the following two scenarios. One group portrays society's negative treatment of special sectors while the other group portrays the rights of special sectors and role of duty-bearers.</p>
III. UNDRIP core articles	<p>Assign participants to read the relevant provisions. Go through each provision with brief explanation.</p>
IV. Other related international human right instruments	<p>Facilitator has written on craft paper, or PowerPoint, the list of other related instruments pertinent to the rights of the special sectors.</p> <p>Discuss the articles contained in the following:</p> <ol style="list-style-type: none"> <i>Universal Declaration of Human Rights</i> <i>Convention on Civil and Political Rights</i> (Adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966) <i>Convention on Economic and Social Cultural Rights</i> (Adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966) <i>Convention on the Rights of the Child</i> (Adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989) <i>ILO Convention No. 169</i> (Adopted on 27 June 1989 by the General Conference of the International Labour Organization at its seventy-sixth session) <i>Convention against Discrimination in Education</i> (Adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 14 December 1960) <i>Declaration on the Rights of Disabled Persons</i> (Proclaimed by General Assembly resolution 3447 (XXX) of 9 December 1975) <i>Convention for the Elimination of All Forms of Discrimination against Women</i> (1979) <i>The Declaration on the Elimination of Violence against Women</i> (1993)

<p>V. Reference to UNDG Guidelines and HRBA</p>	<p>Guiding Principles</p> <ul style="list-style-type: none"> • UNCTs should mainstream gender across all programme activities dealing with indigenous peoples. • UNCTs should emphasize explicit programme components on indigenous women’s rights and empowerment of indigenous women at both formal (i.e., laws, policies) and informal (i.e., customs and cultural factors) levels. • See also <i>Guiding Principles under the Right to Cultural Integrity</i>
<p>VI. Examples of national laws/policies/good practice</p>	<p>Facilitator asks participants to cite local and national laws dealing with special sectors/groups that they are aware of and how these are implemented in their localities.</p>
<p>VII. Key challenges in implementation</p>	<p>Participants are asked to identify the statements below that apply to their own experiences in their country. Ask the participants to draw up a list of countermeasures to overcome these challenges.</p> <ul style="list-style-type: none"> • There are still discriminatory provisions on indigenous women, children, youth and elders in national laws and policies. • Overlaps and conflicts among laws and policies lead to double standards and inconsistencies in recognizing the rights of indigenous women, children, youth and elders, such as in conflicting interpretations among government agencies at the national, regional and local levels. • Many countries in Asia have existing national bodies on the rights of women and children (e.g., the national commissions for women in India and Indonesia). Such bodies should make special provisions to address the needs of their respective indigenous constituencies, and to include representatives of indigenous women, children, youth and elders in the appropriate national commissions. • The judicial system has many incompatibilities with indigenous systems of law. In many cases, the police and courts show negative biases in delivering judicial remedies to indigenous women, children, youth and elders. • There exist national laws and policies that dwell on the rights of indigenous women, children, youth and elders in many countries. But there is a big gap between the written law and their practical implementation. Many people in government and private companies are not aware or sensitive enough to the situation and concerns of the said special sectors. • Gender equality cannot be met with a singular focus on girls’ education, and should be expanded to address reproductive and sexual health and rights, violence against women, women’s labour and property rights, and the reduction of women’s work. Further, there is a need to guarantee access to resources such as technology, sanitation, water, housing, electricity and transportation. • The role of indigenous women as stewards of indigenous lands and custodians of environmental, technical, scientific, cultural and spiritual knowledge, preserving cultural heritages, important producers of food in communities and custodians of biodiversity for many of the world’s ecosystems, must be acknowledged and strengthened. • Indigenous women’s expertise must be reflected in all national and international development strategies. Indigenous women, in consultation with their communities and organizations, must be part of the formulation and decision-making processes of sustainable development initiatives. • Given the prevalence of poverty in indigenous communities, the lack of health and education services, and sometimes the presence of violence, indigenous youth often move to cities or become international migrants for employment and educational opportunities. Some indigenous peoples are confronted with social problems, such as substance abuse, human trafficking, suicides or petty crimes, among children and youth. Registration of births and eligible voters among indigenous youth in indigenous communities requires special support for its implementation.





Wrap up session and evaluation of the training	Duration	30 mins
	Specific objectives	<ol style="list-style-type: none"> 1. To assess participant's knowledge of UNDRIP. 2. To evaluate the participant's enhanced awareness on the key rights enshrined in UNDRIP and the provisions of the UNDG Guidelines and other international instruments. 3. To be able to elaborate concepts that may not be clear to the participants.
	METHODOLOGY	
		Ask 5-6 participants to present their reflections on the day's activity: what they have learned in general? What was new to them, what are their impressions on the training so far, what do they think needs further elaboration?
	METHODOLOGY	
	<p>Summarize what has been discussed during the session.</p> <p>Distribute individual evaluation sheets to the participants. Also conduct a plenary discussion on the knowledge that the participants have gained so far and what needs further elaboration.</p> <p>Collect the evaluation sheets and compile them along with the results of the plenary discussion as your reference for improvement/replication in future trainings.</p>	

2 DAY TRAINING



TIMETABLE SUMMARY/ 2 DAYS TRAINING*

DURATION	TOPIC
DAY 1	
30 mins.	Preliminaries
30 mins.	Introduction to the training, training objectives and expectations
30 mins.	Overview of UNDRIP
2 hours <i>(45 mins. input and 1 hour, 15 mins. group work and plenary)</i>	Module 1: Self-determination and self-governance
2 hours, 30 mins. <i>(45 mins. input; 1 hour, 45 mins. group work and plenary)</i>	Module 2: Land, territories and resources
2 hours <i>(45 mins. input; 1 hour 45 mins. group work and plenary)</i>	Module 3: Development and FPIC
30 mins.	Wrap up
DAY 2	
30 mins.	Recap of the previous day's session
1 hour, 30 mins. <i>(30 mins. input and 1 hour group work and plenary)</i>	Module 4: Cultural rights
2 hours, 30 mins. <i>(1 hour input and 1 hour, 30 mins. group work and plenary)</i>	Module 5: Special concerns: human rights and special sectors
1 hour	Evaluation of the training
2 hours <i>(1 hour, 15 mins. group work and 45 mins. plenary session)</i>	Strategy planning on how to promote UNDRIP
TOTAL: 16 hours	



* See Timetable Summary for 1 Day Training on page 3 and Timetable Summary for 3 Day Training on page 49.

FACILITATOR'S GUIDE

DETAILED TRAINING CONTENTS FOR TWO DAYS

Duration	2 DAYS
General objectives	<ol style="list-style-type: none"> 1. To increase the understanding of collective rights and UNDRIP as a tool for advocacy. 2. To increase understanding of rights and principles contained in UNDRIP. 3. To plan and develop a strategy on the promotion of UNDRIP at the local level.
General outline	<ol style="list-style-type: none"> I. Introduction – brief historical context of UNDRIP. II. UNDRIP core articles. III. UNDG Guidelines on Indigenous Peoples Issues and UN Common Understanding on the Human Rights–Based Approach to Development. IV. Other related international human rights instruments – ICCPR, ESCR, ICERD, ILO 169. V. National laws, local laws and good practices. VI. Key challenges.
Materials	Metacards, craft paper, Pentel pens, chalk and board, Scotch tape, flip charts
List of references	<p>Human Rights Principles that Guide Development</p> <p>United Nations Philippines Rights–Based Development: Training Manual, July 2002</p> <ol style="list-style-type: none"> 1. <i>Training Manual on the UNDRIP</i>, AIPP 2. <i>Making the UNDRIP Work</i>, IWGIA 3. <i>Concept Book on Indigenous Peoples in Asia</i>, by Christian Erni 4. <i>Community Guide to UNDRIP</i>, Australian Human Rights Commission, 2010



DAY 1	Preliminaries	Duration: 30 mins.
	METHODOLOGY	
	Introduction	<p>Participants introduce themselves by telling their name, indigenous identity and organization. They also write their names on name tags and wear them for the duration of the training.</p> <p>Other fun-type introduction exercises could also include:</p> <ul style="list-style-type: none"> • Introduction exercise 1: Participants tell their names and characterize letters in their name (e.g., Eve – Ever helpful, Very nice, Ever smiling). • Introduction exercise 2: Participants tell their names and spell it with their hands/body (e.g., YMCA). <p>If there is a team of facilitators, they should be introduced at this point and advise the topics for which they will be responsible. All members of the training team should also be introduced and also outline their specific tasks.</p> <p>Following introductions, relevant logistics information should be shared by the host of the training or facilitator to include schedules, meal times, accommodation arrangements, materials, translations, use of equipment/facilities, among others (the logistical information should be prepared ahead of the training).</p>
	Introduction of the training, setting objectives and expectations	Duration: 30 mins.
METHODOLOGY		
Setting objectives and expectations	<p>The objectives and training schedule should be outlined and explained to the participants and a copy could either be handed out to the class or placed on the board for the participants.</p> <p>Participants also list their expectations of training which should be placed on the board and summarized so they correspond to various areas in the training module to indicate attempts to reach everyone’s expectations (where possible).</p> <p>The facilitator should also present expectations of the participants such as active participation, respecting the views of others, etc.</p> <p>Briefly discuss the participants’ handbook and how the sessions are divided. Make sure there are extra pens and papers for making notes (in some instances, give the participants time to write so they can concentrate on the lectures and discussions).</p> <p>Copies of UNDRIP, ILO C169 and the UNDG Guidelines should be made available to the participants so they can follow the discussions.</p> <p>Divide the participants into groups and assign them small tasks for the duration of the training. Tasks could include making sure all participants are in the session hall; materials are given to everyone; assisting in pasting craft paper and other materials to the board, walls, etc.</p> <p>Another group could be the “ice breaker” group that prepared exercises to break up heated discussions, to “wake up” the class if participants are feeling tired, to energize the participants following lunch breaks, etc. Another group could be assigned as timekeepers and cleaners of the session hall.</p>	



**2 DAY
TRAINING**

Overview of the United Nations Declaration on the Rights of Indigenous Peoples

Duration	30 mins.
Specific objectives	<ol style="list-style-type: none"> 1. Provide an overview of UNDRIP as an international instruments on the rights of indigenous peoples. 2. Provide basic understanding in terms of the structure of UNDRIP (preambular section and articles) and its contents.
Key messages	<ol style="list-style-type: none"> 1. Present an overview of the contents of UNDRIP. <ol style="list-style-type: none"> a. Preambular section. b. Articles. 2. Cluster articles into thematic areas and consider indigenous peoples' collective rights in each of the thematic areas. 3. Present UNDRIP as part of the international human rights instruments that also defines the obligations of states in respecting these rights.

METHODOLOGY

1. Ask participants to write on metacards 1-2 examples of the collective rights of indigenous peoples. Collect the metacards and post on the wall. This will be referred to in the later section of this topic.
2. Present a brief history of UNDRIP, in particular the engagement of indigenous peoples in the drafting stage and until its adoption in the United Nations General Assembly in September 2007.
3. Outline the general content of UNDRIP.
4. Make a summary of the collective rights of indigenous peoples by theme — self-determination, land, territories and resources, cultural integrity, etc.
5. Present UNDRIP as part of the international human rights instruments as the minimum standard for respecting indigenous peoples' rights.
6. Clarify any thoughts, queries, etc. about UNDRIP in general (e.g., its context as an international instrument and on the general content). Specific questions on the various articles will be taken up in the other sections of the training.



**MODULE 1:
Self-determination and self-governance**

Duration	2 hours <i>(45 mins. input and 1 hour, 15 mins. group work)</i>
Specific objectives	<ol style="list-style-type: none"> 1. At the end of the session, the participants will be able to understand concepts such as the right to self-determination and self-governance. 2. The participants should be able to cite examples of how these rights are practiced in their areas and how indigenous peoples’ organizations/groups are implementing UNDRIP at the local and national levels. 3. Participants will be able to articulate how their organizations/groups are meeting the challenges in exercising their rights as set out in UNDRIP.
Key messages	<ol style="list-style-type: none"> 1. Present the core principles on the right to self-determination and self governance. 2. Enumerate provisions from the various international instruments addressing these right. 3. Provide actual examples of how these rights are exercised (e.g., regional autonomy in Nicaragua, autonomy provisions in India etc.).

METHODOLOGY

I. Introduction — brief historical context	<p>Introductory lecture on the module and outline the historical context of UNDRIP. Localize UNDRIP to the national and regional situation. Ask questions for participants to answer.</p> <p>Write on the board or on Manila paper the dates when the various human rights covenants and declarations were adopted by the United Nations. Go back to these throughout the session especially on the section of other international instruments.</p> <p>Emphasize the two core principles necessary for the exercise of indigenous peoples’ rights related to: (a) non-discrimination and equality and (b) accountability. Explain what these entail and how it is practised.</p>
II. UNDRIP core articles	<p>Exercise: Participants write on paper one of the articles of UNDRIP. Have them explain in their own words how these articles apply to their communities.</p> <p>Exercise: Divide the participants into two groups. Have one side take the positive side and the other take the negative side. The positive side will enumerate all the positive incidents, laws, practices in their communities related to the right to self-determination. The negative side will enumerate all the negative implementation, incidents and practices in their communities.</p> <p>Participants to write their main points on Manila or craft paper and post it in the board for further discussion.</p> <p>Discuss the table below (next page).</p>



II. UNDRIP core articles
(continued)

Table 1. The table below summarizes the key messages on the rights of indigenous peoples.

Taken from UNDG Guidelines.

<p>Issues</p> <p>Self-determination, self-government, autonomy, self-management</p>
<p>Basic information</p> <p>The long traditions of indigenous peoples’ forms of self-government have been interrupted, limited or denied by colonial or post-colonial states.</p> <p>In recent years, there have been attempts to re-establish forms of self-determination and self-governance through mutual agreements between states and indigenous peoples where indigenous peoples and communities determine their own futures in accordance with their own processes, and in line with key principles of the UN Declaration on the Rights of Indigenous Peoples. Self-determination expressed in this way is vital for the continued existence of indigenous peoples as distinct peoples.</p>
<p>Guiding principles</p> <p>The principle of self-determination can be implemented in practice through a range of mechanisms including the following:</p> <ul style="list-style-type: none"> • Autonomy arrangements. • Self-government. • Self-management. • Control over or input into basic services such as education and health. • Recognition and maintenance of traditional and political decision-making bodies and legal systems. • Full and effective participation in public life. <p>These arrangements require states and indigenous peoples to agree on appropriate terms and conditions for such actions. It has been noted that negotiated settlements are being increasingly discussed and could form the basis for reconciling past relationships between states and indigenous peoples.</p> <p>The UN Declaration on the Rights of Indigenous Peoples calls on states to consult with indigenous peoples to obtain their free and informed consent prior to approval of any project affecting their lands and resources.</p> <p>Sources: United Nations Declaration on the Rights of Indigenous Peoples, Articles 3, 4, 18, 19, 23 and 32); International Covenant on Economic, Social and Cultural Rights, Article 1.</p>



III. UNDG Guidelines on Indigenous Peoples Issues and UN Common Understanding on the Human Rights–Based Approach to Development

Discuss the UNDG Guidelines on the Human Rights–Based Approach to Development. Ask the participants to explain how these guidelines might apply to them.

IV. Other related international human rights instruments – ICCPR, ESCR, ICERD, ILO 169

Exercise: Read the articles. Have the women read the UNDHR. Let the men read the ICCPR. Have the women read the ILO 169 up to Article 3. Let the men read the remainder. Ask participants if their government has ratified any of these instruments and how they are being implemented.

Summarize the instruments and concepts as listed below. Prepare a .ppt or .odp file to show the participants the summarized format. If there are no computers, write them on Manila paper, craft paper or the blackboard.

IV. Other related international human rights instruments – ICCPR, ESCR, ICERD, ILO 169 (continued)

The right to self-determination and self-governance may be expressed through:

1. Autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions. In other cases, indigenous peoples seek the conditions for self-management.
2. Respect for the principle of free, prior and informed consent. This principle implies that there is an absence of coercion, intimidation or manipulation, that consent has been sought sufficiently in advance of any authorization or commencement of activities. Further, there is respect for the time requirements for indigenous consultation/consensus processes and that information on the likely impact of the actions being negotiated have been provided and understood.
3. Full and effective participation of indigenous peoples at every stage of any action that may affect them directly or indirectly. The participation of indigenous peoples may be through their traditional authorities or a representative organization. This participation may also take the form of co-management.
4. Consultation with the indigenous peoples prior to any action that may affect them, directly or indirectly, and that consultation ensure their concerns and interests match the objectives of the activity or action planned.
5. Formal recognition of indigenous peoples’ traditional institutions, internal justice and conflict-resolution systems, and their socio-political organization.
6. Recognition of the right of indigenous peoples to define and pursue their economic, social and cultural development freely.



EXERCISES

Group work — 45 minutes

Participants to be divided into groups to discuss the following:

1. What are their indigenous/traditional systems of governance/decision-making institutions and customary laws?
2. What are their traditional systems in maintaining peace, security and cooperation among the members, and how do they relate with other indigenous peoples or outside groups?
3. What are the threats and challenges to the exercise of their governance system?
4. How should these threats and challenges be addressed to strengthen their self governance in order to be able to exercise and assert their right to self-determination?

Presentation of groups — 30 minutes

Facilitator to complete exercise with brief summary that emphasizes threats and challenges to indigenous peoples exercising their right to self-determination.



MODULE 2: Land, territories and resources													
Duration	2 hours, 30 mins. <i>(45 mins. input and 1 hours, 45 mins. group exercise)</i>												
Specific objectives	<ol style="list-style-type: none"> To increase understanding of indigenous peoples’ rights to land, in particular those aspects that are crucial to indigenous peoples’ identity and survival. To increase understanding of indigenous peoples’ rights to land and resources and how these rights can be protected by UNDRIP, other international and local laws. To identify areas for implementation and how these can be better addressed. 												
Key messages	<ol style="list-style-type: none"> Present the principle of the right to land, territories and resources as one of the key areas of indigenous peoples’ rights. Present the challenges in implementing this right. 												
METHODOLOGY													
	Objective setting. At the start of the session, explain the objectives.												
I. Brief historical context	<p>Exercise: Before the session, ask the participants to name the resources found in their territories. How are these resources protected by the communities? How are these resources passed on to the next generation?</p> <p>Discuss the historical context of the right to lands, territories and resources. Elicit discussions from the participants to contribute to the discussion.</p> <p>Discuss the core principles of the right to lands, territories and resources:</p> <ol style="list-style-type: none"> Mutual respect and consensus. Participation and intervention. Development. <p>Exercise: Ask the participants if the community has a zoning system/boundary for their territories. Ask them to draw the zoning/boundary system on the board.</p>												
II. UNDRIP core articles	<p>Exercise: Have the participants read some articles and let them explain and related this article to their situation, experiences and concerns. Make sure to have both men and women participate, and include youth. Write the articles in small pieces of paper and choose participants to pick a piece of paper with a particular article. They should be given 5 minutes to gather their thoughts before their presentation.</p>												
III. UNDG Guidelines on Indigenous Peoples’ Issues and UN Common Understanding on the Human Rights–Based Approach to Development	<p>Discuss the UNDG Guidelines on the Human Rights–Based Approach to Development.</p> <p>TABLE 1. Have the participants fill in the table below:</p> <table border="1"> <thead> <tr> <th><i>MATERIALS/RESOURCES</i></th> <th><i>What are the national laws, policies and programmes affecting their lands, territories and resources (give both positive and negative examples)</i></th> </tr> </thead> <tbody> <tr> <td>LANDS and RESOURCES</td> <td></td> </tr> <tr> <td>FOREST</td> <td></td> </tr> <tr> <td>CULTURAL ARTIFACTS, SPIRITUAL SITES</td> <td></td> </tr> <tr> <td>HISTORICAL SITES</td> <td></td> </tr> <tr> <td>MINERAL WEALTH</td> <td></td> </tr> </tbody> </table>	<i>MATERIALS/RESOURCES</i>	<i>What are the national laws, policies and programmes affecting their lands, territories and resources (give both positive and negative examples)</i>	LANDS and RESOURCES		FOREST		CULTURAL ARTIFACTS, SPIRITUAL SITES		HISTORICAL SITES		MINERAL WEALTH	
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HISTORICAL SITES													
MINERAL WEALTH													

<p><i>III. UNDG Guidelines on Indigenous Peoples' Issues and UN Common Understanding on the Human Rights-Based Approach to Development</i> (continued)</p>	<p>GROUP WORK:</p> <p>In groups, participants to discuss the following:</p> <ol style="list-style-type: none"> 1. What are their traditional resource management systems? 2. What is the role of community members in the traditional resources management systems? 3. What are the key steps/actions required to strengthen their traditional systems of resources management?
<p>IV. Other related international human rights instruments – ICCPR, ESCR, ICERD, ILO 169</p>	<p>Have the participants read the articles and then explain how they best understand them.</p> <ol style="list-style-type: none"> A. International Covenant on Economic, Social and Cultural Rights (ICESCR) B. ILO 169 or C169 Indigenous and Tribal Peoples Convention, 1989
<p>V. Examples of good practice/ national laws/policies</p>	<p>Based on the table above, ask participants to present any national laws and policies that protect land, territories and resources.</p> <p>Exercise: Have the participants read these articles from the Anchorage Declaration of 24 April 2009 and then discuss whether they have similar laws related to these key issues. What are they doing as indigenous peoples organizations to achieve, actualize and have their legislature create laws related to these?</p> <p><i>Paragraph 11. We call on States to recognize, respect and implement the fundamental human rights of Indigenous Peoples, including the collective rights to traditional ownership, use, access, occupancy and title to traditional lands, air, forests, waters, oceans, sea ice and sacred sites as well as to ensure that the rights affirmed in Treaties are upheld and recognized in land use planning and climate change mitigation strategies. In particular, States must ensure that Indigenous Peoples have the right to mobility and are not forcibly removed or settled away from their traditional lands and territories, and that the rights of Peoples in voluntary isolation are upheld. In the case of climate change migrants, appropriate programs and measures must address their rights, status, conditions, and vulnerabilities.</i></p> <p><i>Paragraph 12. We call upon states to return and restore lands, territories, waters, forests, oceans, sea ice and sacred sites that have been taken from Indigenous Peoples, limiting our access to our traditional ways of living, thereby causing us to misuse and expose our lands to activities and conditions that contribute to climate change.</i></p>
<p>VI. Key challenges in implementations</p>	<p>Plenary discussion: What are the key challenges and threats towards the exercise and respect of the rights of indigenous peoples on their lands, territories and resources?</p>
<p>EXERCISE</p>	
	<p>In groups, the participants design an action plan for an information campaign on the rights of their own community.</p>





MODULE 3: Development and FPIC									
Duration	2 hours <i>(45 mins. input and 1 hour, 15 mins. group exercise)</i>								
Specific objectives	<ol style="list-style-type: none"> 1. To introduce participants to the pertinent provisions related to development and FPIC. 2. To be able to cite examples of how indigenous peoples' organizations/groups are meeting the challenges posed by encroachment onto their lands and territories especially if no FPIC was required by the state. 3. To be able to formulate a plan of action for engaging state or duty-bearers on FPIC. 								
Key messages	<ol style="list-style-type: none"> 1. Provide the core principles of FPIC and the right to development as an exercise of the right to self-determination of indigenous peoples. 2. Provide the legal framework of FPIC and the right to development. 								
METHODOLOGY									
	<p>Objectives setting:</p> <p>Ask the participants if they have questions on the topic before you start the lecture/discussion.</p> <p>Explain the objectives for the session.</p>								
I. Brief historical context	<p>Discuss the context of the right to development and free, prior and informed consent.</p> <p>Exercise: Have the participants develop a problem tree. Let them categorize the problems as to those that are currently being addressed and those that still need to be addressed. Use the results of the problem tree later in the last part of this module. With this exercise, participants enumerate the problems their communities and organizations encounter. Interventions will be discussed at the later part of the module.</p>								
II. UNDRIP core articles	<p>The participants read the core articles. Select participants who will read out key articles and explain the article according to their understanding, and to relate it to their situation, issues and concerns.</p> <p>Before providing the input on FPIC, participants to write their understanding of FPIC in a metacard, and post this on the board or wall. Provide the input on FPIC and relate it to what the participants have written.</p> <p>Table 1. Use the following table to explain the concept of FPIC.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="width: 15%;">Free</td> <td>No coercion, intimidation or manipulation.</td> </tr> <tr> <td>Prior</td> <td>Time requirements of indigenous consultation/consensus processes were sufficiently considered and respected, thus advanced consent has been obtained before commencing activities.</td> </tr> <tr> <td>Informed</td> <td>The following aspects of information are provided: the nature of the proposed project or activity; the reasons or purpose of the project or activity; the duration; areas to be affected, preliminary assessment of possible impact, potential risk, benefits; personnel likely to be involved including the indigenous peoples, and procedures that the project will entail.</td> </tr> <tr> <td>Consent</td> <td>The demonstration of clear and compelling agreement which is reached with the full and effective participation of the authorized leaders, representatives or decision-making institutions as decided by the indigenous peoples themselves.</td> </tr> </tbody> </table>	Free	No coercion, intimidation or manipulation.	Prior	Time requirements of indigenous consultation/consensus processes were sufficiently considered and respected, thus advanced consent has been obtained before commencing activities.	Informed	The following aspects of information are provided: the nature of the proposed project or activity; the reasons or purpose of the project or activity; the duration; areas to be affected, preliminary assessment of possible impact, potential risk, benefits; personnel likely to be involved including the indigenous peoples, and procedures that the project will entail.	Consent	The demonstration of clear and compelling agreement which is reached with the full and effective participation of the authorized leaders, representatives or decision-making institutions as decided by the indigenous peoples themselves.
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Consent	The demonstration of clear and compelling agreement which is reached with the full and effective participation of the authorized leaders, representatives or decision-making institutions as decided by the indigenous peoples themselves.								

III. UNDG Guidelines and the UN Common Understanding on the Human Rights–Based Approach to Development	Explain the UNDG guidelines and HRBA to development.
IV. Other related international human rights instruments – ICCPR, ESCR, ICERD, ILO 169	Read the articles of the ILO 169, the International Covenant on Social, Economic and Cultural Rights and other international instruments and how they deal with indigenous peoples’ rights.
V. Key challenges	<ol style="list-style-type: none"> 1. What information is required by indigenous communities, and how should this be delivered, in order to ensure informed collective decisions? 2. How to ensure that indigenous peoples’ decision-making processes are independent from external interference and manipulation? 3. How to ensure that indigenous peoples are given the time and space for their own deliberations in order for community members to express their views and concerns freely without fear or reservation, and to determine and conduct their own decision-making processes collectively. 4. Capacity-building for indigenous peoples and their communities to negotiate FPIC including all members of the community, especially women and youth.
VI. Key messages	<ol style="list-style-type: none"> 1. Express deep concern that the economic policies of states under the pressures of globalization, international finance capital and lending agencies accentuate internal colonization of indigenous peoples homelands, exploitation of their natural resources by national and multi-national corporations, exploitative tourism, harmful structural adjustment and unwarranted cutbacks to social services. The result of such action often leads to forced dislocation, impoverishment and human rights violations such as debt, bondage, forced labour, force prostitution and child labour. 2. Express deep concern about state-sponsored transmigration of impoverished groups into the homelands of indigenous peoples that leads to the appropriation of lands and resources and results in displacement and marginalization of indigenous peoples threatening their physical and cultural survival. 3. Express deep concern at the human rights violations of indigenous peoples, such as racism, and the imposition of the dominant paradigm by the agencies of the state which threatens indigenous peoples’ identity, cultures, values and ethos.

EXERCISE

	In groups, the participants are given specific cases (<i>examples are in the annex</i>). One case will deal with the information required to be able to make an informed decision. The other group will deal with undertaking their own decision-making processes. Provide feedback on the results of the group exercise.
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Day 1 Wrap up	Duration	30 mins.
	METHODOLOGY	
		Ask 5-6 participants to present their reflections on the day’s activities: What have they learned, what was new to them, what are their impressions of the training so far, what do they think needs further elaboration?





DAY 2	Recap of the previous day's session	Duration: 30 mins.
	Specific objectives	<ol style="list-style-type: none"> To gauge participants' understanding of UNDRIP and the key articles discussed in the first day. To elaborate concepts or information that were not clear for the participants.
	METHODOLOGY	
		Select 5 participants and ask them to reflect on what they have learned so far regarding the general overview of UNDRIP, the right to self-determination and self-governance and the right to land, territories and resources in relation to their actual experiences and issues.
	METHODOLOGY	
		Give 2 metacards to each participant. They need to write what concepts were clear to them on one metacard and concepts that need elaboration on the second metacard. Let them stick the cards on the board and discuss the results with them.

**MODULE 4:
Cultural rights**

Duration	1 hour, 30 mins. <i>(30 mins. input and 1 hour group exercise)</i>
Specific objectives	<ol style="list-style-type: none"> To increase the participants' understanding of their cultural rights. Knowledge of the provisions in UNDRIP, ILO C169, UNDG Guidelines and other relevant treaty monitoring bodies addressing cultural rights. Understand the challenges in implementing indigenous peoples' cultural rights.
Key message	Culture is a basic component of indigenous identity because it is what distinguishes a people. The indigenous people's cultural integrity is manifested through the expression of their way of life and thinking, their world view and the use of their language. The various cultural forms they create and practice such as their literature both written and oral, music and arts are products of their environment and their perception of the world. Cultural integrity is hinged on the right to self-determination which enables indigenous peoples to assert the existence of their economic systems and their systems of self-government.
METHODOLOGY	
I. Introduction – brief historical context	<p>Opening question to participants: WHAT does CULTURE mean to you? In order to make the topic more interesting, ask the participants to consider some traits of their distinct cultures (song, dance, etc.) and ask them the significance/importance of their cultural practices.</p> <p>Objective setting: Explain the aims of the workshop and then summarize the different responses to the opening question.</p> <p>What are the components of culture? Focus on the culture of indigenous peoples and how they have practiced this over many periods and places.</p>

<p><i>I. Introduction – brief historical context</i> <i>(continued)</i></p>	<p>Cite the historical evidence and accounts where indigenous peoples’ cultural rights have been violated.</p> <p>Exercise: Participants to form two groups. One group to identify aspects of their culture that have been changing or eroding; while the other group identifies aspects of their culture that are still in existent and being practiced by the community. Results are to be written on craft paper and presented at a plenary.</p>
<p>II. Scope and core principles</p>	<p>Ask the participants their observations of their cultural practices and the extent to which they are exercising these practices.</p> <p>Enumerate the rights relevant to culture and evoke reactions or discussion from participants:</p> <ul style="list-style-type: none"> • The freedom to persist in, and also to develop, their own language, world view, religion or belief system and spiritual traditions, philosophy and ethical system; knowledge and learning systems, science and technology; customs, practices or habitual ways of doing things; music, literature, performing, visual and other arts. • The right to the recognition of their “ownership” or “authorship” of the above; • The right to their heritage as embodied by and transmitted through their history and oral traditions; artifacts and archaeological sites; education in these and in their culture as a whole; • The right to respect their culture and its integrity; the right not to be forced or pressured into acculturation – i.e., to being assimilated or integrated into another, usually more dominant, culture and, in the process, losing their own; the right not to be discriminated against; the right not to have their culture, or even just aspects of it, prostituted; • The right to legal redress for preventing or stopping the violation of the above, and for restitution (including restoration or reparation) for ongoing or past violations. <p>Then explain how these principles would assert indigenous peoples’ cultural integrity.</p> <p>Exercise: Participants can be asked to illustrate on the board or on craft paper how they perceive culture and its relation to their identity and distinct ways of life and how the youth/young people are practicing/ignoring their cultures.</p>
<p>III. UNDRIP core articles on cultural rights</p>	<p>Ask the participants about their level of awareness on UNDRIP provisions on culture. Let them cite a few, if familiar.</p> <p>Present UNDRIP provisions on cultural rights. Let the participants read each provision aloud. Allow for discussions; ask for illustrations or examples of UNDRIP provisions.</p> <p>Specifically for Article 31, ask participants for concrete measures on these:</p> <ol style="list-style-type: none"> 1. Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge and traditional cultural expressions. 2. In conjunction with indigenous peoples, States shall take effective measures to recognize and protect the exercise of these rights.





<p>IV. Other related international human rights instruments</p>	<p>Aside from UNDRIP, ask participants if they are familiar with other legal instruments that allow or provide for the recognition of cultural rights?</p> <p>Enumerate and explain the following:</p> <ul style="list-style-type: none"> • International Convention on the Elimination of All Forms of Racial Discrimination. • International Covenant on Economic and Social Cultural Rights. • Multilateral Convention on Biological Diversity. • UNESCO provisions on culture. • International Labour Organization Conventions 107 and 169 provisions on indigenous and tribal people’s culture.
<p>V. Reference to UNDG Guidelines and HRBA</p>	<p>Guiding Principles concerning Traditional knowledge, intellectual property, intangible heritage and cultural expressions</p> <ul style="list-style-type: none"> • Indigenous peoples’ rights to control, own and manage their traditional knowledge and creativity are recognized, although in practice they remain difficult to implement. • Indigenous peoples have the right to use and preserve their languages and states should respect this right. • Specific legal regimes need to be established to ensure that indigenous peoples are able to benefit from their own knowledge, prevent its unlawful use by others and obtain the rightful recognition by the international community. • States are called upon to create an environment that encourages individuals and social groups to create, produce, disseminate, distribute and have access to their own cultural expressions, paying due attention to the specific circumstances and needs of indigenous peoples. • They are furthermore called upon to ensure the widest possible participation of communities to maintain and transmit their intangible heritage, if so wished by the peoples involved, and involve them in a meaningful way in its management. <p>Guiding Principles concerning Education</p> <ul style="list-style-type: none"> • Indigenous peoples have the right to all levels of education and to develop their own educational facilities, if they so wish. • Education should be culturally appropriate to indigenous children, adapted to their cultures, and bilingual when appropriate. • Education should also have the broader objective of eliminating prejudices against indigenous peoples. • In some countries special measures have been taken to improve indigenous peoples’ access to education including for nomadic and semi-nomadic peoples. <p>In some countries, intercultural education is seen as the means to give recognition to indigenous cultures in the wider education system.</p>
<p>VI. Examples of national laws/policies/good practice</p>	<p>Ask the participants to cite laws or instruments that allow for the practice or observation of cultural forms in their own communities. Then cite laws in other countries. An example would be that of India where the government holds cross-district cultural exchange festivals among students, in an affirmation of diversity. Or in the Philippines, the Indigenous Peoples’ Rights Act (IPRA) spells out these rights. The IPRA allows indigenous communities to exercise control over the education of their children. Whether in the schools that the communities themselves have established or in those that were built within their locality by a church or by the government, teachers are allowed to conduct lower grade classes in the indigenous languages so that students can grasp basic ideas more readily. Also, the communities can intervene when false information and discriminatory ideas about their people and history is part of the school curriculum.</p> <p>Do participants have similar experiences where laws and policies are directed towards the recognition of cultural rights? See annex for some examples.</p>

VII. Key challenges in implementation

GROUP EXERCISE:

GROUP I: Ask the participants what programme of action they can launch in relation to the assertion of their cultural rights to counter-act the commercialization of their culture.

GROUP II: Participants to discuss how the indigenous youth of today can be taught/how to learn their culture and be proud of their culture and be more engaged in the cultural life/ways of life of indigenous peoples as a form of transfer of indigenous culture and knowledge.

Draw out from them strategies and mechanisms they can help implement in their own communities and/or organizations that would put substance to the assertion of cultural rights.

What are the key requisites in realizing the provisions in UNDRIP on cultural rights.

Some suggested strategies for participants to bring home as a programme of recommendation and action:

1. Information dissemination, education on cultural rights not only among indigenous communities but also among the wider population.
2. National, local status assessment, problem identification and strategizing, lobbying national, local legislative bodies to address cultural rights as articulated in UNDRIP.
3. Drumming up support for the lobby through media community and petition-signing campaigns, etc.
4. Following successful lobbies, educating local and national executive/enforcement authorities, also educators, mass media practitioners and religious authorities on indigenous peoples' cultural rights: the rights, per se, as contained in UNDRIP, as contained in the national constitution (where applicable), and as provided for in specific national and local laws.
5. Conceptualizing, planning, implementing actions and projects in the exercise of cultural rights and in gaining redress for any violations Examples of such actions and projects include:
 - » Indigenous roots renewal programme for urban youth;
 - » Textbook-correction and teachers' re-education projects aimed at rectifying discriminatory notions, misconceptions, misinformation, inaccuracies about indigenous peoples and their cultures;
 - » Projects in revitalizing and gaining recognition and respect for indigenous learning systems and institutions;
 - » Community dialogues, discussions with educational and religious authorities, media practitioners;
 - » Campaign for the return of religious, other sacred, historical and other culturally important artifacts in museums, collections, laboratories;
 - » Campaign for the return of human remains in museums, collections, laboratories;
 - » Campaign for the International Rice Research Institute, other plant-breeding institutions, commercial seed companies to return and help communities re-propagate the seeds they have taken, purportedly for ex-situ conservation, then replaced with their own Green Revolution seeds or hybrids;
 - » Campaign for the revocation of private individual or corporate, or institutional patents to genetic resources for food and medicine which can be identified and ascertained as material originally discovered, domesticated/cultivated, bred/developed, and propagated by indigenous communities;
 - » An alternative option would be to demand to be given a just share of the benefits from the use of indigenous peoples' "intellectual property".



VII. Key challenges in implementation
(continued)

6. Cultural practices, traditions and values can play a critical role in sustainable development, gender equality and human rights:
 - » Assist in promoting cultural and social values that maintain indigenous peoples' identities.
 - » Use advocacy and communication tools or channels that are tailored to indigenous peoples' values and norms.
 - » Understand and promote cultural diversity in society as a resource for development.
 - » Identify and promote culturally sensitive alternatives where appropriate.
 - » Ensure data are disaggregation.
 - » Indigenous cultures are not static; they are changing and capable of adapting – however, these changes should not be forced but should result from the aspirations of the community itself.

EXERCISE

In a plenary discussion, discuss with the participants what can be done to protect, revive and strengthen the culture of indigenous peoples.



MODULE 5:
Special concerns: human rights and special sectors

Duration	2 hours and 30 mins. <i>(1 hour input and 1 hour, 30 mins. group exercise)</i>
Specific objectives	<ol style="list-style-type: none"> 1. To understand the key concepts of human rights and the rights of those belonging to the special sector. 2. To know the provisions in UNDRIP, ILO C169, UNDG Guidelines and other relevant treaty monitoring bodies addressing human rights and the rights of the special sector. 3. Participants to understand the challenges in the implementation of human rights and the rights of those belonging to the special sector.
Key messages	<p>HUMAN RIGHTS: Human rights are premised on the concept that all human beings are born free and equal in dignity and rights. All persons are entitled to human rights regardless of race, colour, gender, language, age, religion, political or other opinion, social origin, property, birth or other status.</p> <p>Human rights define the needs of people and recognize them as active subjects and claim-holders.</p> <p>Indigenous peoples are entitled to the full range of universal human rights established under international law and have distinct collective rights as peoples. They should not be subject to any form of discrimination, should receive equal treatment, should be able to participate fully in public life, and have a right to maintain their distinctive identities, cultures, languages and ways of life and to be assured of dignity and equality. These rights are established in the UN Charter and the subsequent human rights treaties.</p> <p>The Declaration on the Right to Development states that “every person and all peoples are entitled to participate in, contribute to, and enjoy civil, economic, social, cultural and political development in which all human rights and fundamental freedoms can be fully realised”.</p> <p>SPECIAL SECTORS: There are special sectors that need particular attention and support in the assertion of their rights as indigenous people because they are the most marginalized, discriminated against, neglected and most vulnerable to rights violations. They also have their own particular issues and concerns that need to be addressed in the pursuit of equality and dignity for all sectors in society.</p>
METHODOLOGY	
A. HUMAN RIGHTS:	
I. Introduction – brief historical context	Begin the discussion by asking participants their concept or knowledge of human rights. This can be done by asking participants for words that they associate with the concept. Ask them why they came up with these concepts.
II. Scope and core principles	<p>Explain the essential difference between individual and collective human rights.</p> <p>Emphasize this: The core international human rights instruments protect the rights of the individual and establish the state’s obligations to guarantee, protect and respect such rights. Indigenous peoples’ rights seek to protect not only individual but also the collective rights, because recognition of such ensures the continuing existence, development and well-being of indigenous peoples as distinct collectivities. Past experience has shown that unless the collective rights</p>

WORK
GROUPS



**2 DAY
TRAINING**



<p><i>II. Scope and core principles</i> (continued)</p>	<p>of indigenous peoples are respected, there is a risk that such cultures may disappear through forced assimilation into the dominant society. Through international declarations, and in some cases national laws and regulations, all states are committed to the promotion of cultural diversity.</p>
<p>III. UNDRIP core articles</p>	<p>Via PowerPoint or flash cards or on craft paper, facilitator presents UNDRIP articles. Ideally, participants should be provided with copies of UNDRIP.</p> <p>Facilitator can ask from participants to cite cases where articles have been observed or violated. This can be done individually or group discussion.</p>
<p>IV. Other international and national human rights instruments</p>	<p>a. <i>Universal Declaration of Human Rights 1948</i></p> <p>b. <i>Convention on Civil and Political Rights</i> (Adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966)</p> <p>c. <i>Convention on Economic and Social Cultural Rights</i> (Adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966)</p> <p>d. <i>Vienna Declaration and Programme of Action</i>, July 1993</p> <p>Other instruments:</p> <ul style="list-style-type: none"> • The adoption of ILO Convention No. 169 on Indigenous and Tribal Peoples in 1989. • The 2005 Heads of State World Summit, in which governments committed to making progress in advancing the human rights of indigenous peoples. • The proclamation by the General Assembly of the Second International Decade of the World's Indigenous People (2005-2014). • The adoption of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) by the General Assembly in September 2007. UNDRIP sets out the rights that countries should aspire to recognize, guarantee and implement. It establishes a framework for discussions and dialogue between indigenous peoples and States. • The Special Rapporteur on Indigenous Peoples was established by the Commission on Human Rights (now the Human Rights Council) and has the mandate to undertake country visits to gather information and communications regarding violations of indigenous peoples' human rights; to report on trends and take up cases directly with governments in relation to human rights violations; to formulate recommendations on measures to prevent and remedy these violations; and to work in close relation with other special procedures and other human rights bodies.
<p>V. UNDG Guidelines on Indigenous Peoples' Issues and Human Rights-based Approach (HRBA)</p>	
<p>VI. Examples of national laws/policies/good practice</p>	<p>Facilitator asks participants to cite laws in their country that pertain to human rights, or collective rights. As an exercise in distinguishing individual and collective rights, participants can role play.</p>
<p>VII. Key challenges in implementation</p>	<p>Ask participants their positive and negative experiences on the exercise of their rights, whether as individuals or members of an indigenous community. Draw out from them what measures are needed in the protection and assertion of their human rights.</p>

METHODOLOGY	
B. SPECIAL SECTORS: WOMEN, YOUTH, ELDER AND DISABLED	
I. Introduction – brief historical context	<p>As introduction to the topic, participants are asked to describe briefly the situation of women, youth, elders and the disabled, respectively, in their community. Answers are to be written on craft paper and posted as reference material.</p> <p>Discussion:</p> <ul style="list-style-type: none"> • Indigenous women bear the double burden of discrimination due to their ethnicity and gender. • Indigenous children represent the future of society and should thus be nurtured and their welfare protected. • Indigenous youth are valuable members of indigenous societies because of their physical strength, vigour, fresh ideas, and readiness to learn. They should be guided in their life choices for the interests of their community and society. • Indigenous elders continue to be essential forces in the livelihood and economic activity of indigenous communities. • The disabled should be assisted in developing their abilities in the most varied fields of activities and their integration into society be promoted whenever possible.
II. Scope and core principles	<p>Facilitator can suggest role-playing the following two scenarios. One group portrays society's negative treatment of special sectors while the other group portrays the rights of special sectors and role of duty-bearers.</p>
III. UNDRIP core articles	<p>Assign participants who will read provisions. Go through each provision with brief explanation.</p>
IV. Other related international human right instruments	<p>Facilitator has written on craft paper, or PowerPoint, the list of other related instruments pertinent to the rights of the special sectors.</p> <p>Discuss the articles contained in the following:</p> <ol style="list-style-type: none"> <i>Universal Declaration of Human Rights</i> <i>Convention on Civil and Political Rights</i> (Adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966) <i>Convention on Economic and Social Cultural Rights</i> (Adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966) <i>Convention on the Rights of the Child</i> (Adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989) <i>ILO Convention No. 169</i> (Adopted on 27 June 1989 by the General Conference of the International Labour Organization at its seventy-sixth session) <i>Convention against Discrimination in Education</i> (Adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 14 December 1960) <i>Declaration on the Rights of Disabled Persons</i> (Proclaimed by General Assembly resolution 3447 (XXX) of 9 December 1975) <i>Convention for the Elimination of All Forms of Discrimination against Women</i> (1979) <i>The Declaration on the Elimination of Violence against Women</i> (1993)



V. Reference to UNDG Guidelines and HRBA	Guiding Principles <ul style="list-style-type: none"> • UNCTs should mainstream gender across all programme activities dealing with indigenous peoples. • UNCTs should emphasize explicit programme components on indigenous women’s rights and empowerment of indigenous women at both formal (i.e., laws, policies) and informal (i.e., customs and cultural factors) levels. • See also <i>Guiding Principles under the Right to Cultural Integrity</i>
VI. Examples of national laws/policies/good practice	Facilitator asks participants to cite local and national laws dealing with special sectors/groups that they are aware of and how these are implemented in their localities.
VII. Key challenges in implementation	<p>Participants are asked to say which among the statements below apply to their own experiences in their country. Ask the participants to draw up a list of countermeasures to overcome these challenges.</p> <ul style="list-style-type: none"> • There are still discriminatory provisions on indigenous women, children, youth and elders in national laws and policies. • Overlaps and conflicts among laws and policies lead to double standards and inconsistencies in recognizing the rights of indigenous women, children, youth and elders, such as in conflicting interpretations among government agencies at the national, regional and local levels. • Many countries have existing national bodies on the rights of women and children (e.g., the national commissions for women in India and Indonesia). Such bodies should make special provisions to address the needs of their respective indigenous constituencies, and to include representatives of indigenous women, children, youth and elders in the appropriate national commissions. • The judicial system has many incompatibilities with indigenous systems of law. In many cases, the police and courts show negative biases in delivering judicial remedies to indigenous women, children, youth and elders. • There exist national laws and policies that dwell on the rights of indigenous women, children, youth and elders in many countries. But there is a big gap between the written law and their practical implementation. Many people in government and private companies are not aware or sensitive enough to the situation and concerns of the said special sectors. • Gender equality cannot be met with a singular focus on girls’ education, and should be expanded to address reproductive and sexual health and rights, violence against women, women’s labour and property rights, and the reduction of women’s work. Further, there is a need to guarantee access to resources such as technology, sanitation, water, housing, electricity and transportation. • The role of indigenous women as stewards of indigenous lands and custodians of environmental, technical, scientific, cultural and spiritual knowledge, preserving cultural heritages, important producers of food in communities and custodians of biodiversity for many of the world’s ecosystems, must be acknowledged and strengthened. • Indigenous women’s expertise must be reflected in all national and international development strategies. Indigenous women, in consultation with their communities and organizations, must be part of the formulation and decision-making processes of sustainable development initiatives. • Given the prevalence of poverty in indigenous communities, the lack of health and education services, and sometimes the presence of violence, indigenous youth often move to cities or become international migrants for employment and educational opportunities. Some indigenous peoples are confronted with social problems, such as substance abuse, human trafficking, suicides or petty crimes, among children and youth. Registration of births and eligible voters among indigenous youth in indigenous communities requires special support for its implementation.



Evaluation of the training	Duration	1 hour
	Specific objectives	<ol style="list-style-type: none"> 1. To assess participant’s knowledge of UNDRIP. 2. To evaluate the participant’s enhanced awareness on the key rights enshrined in UNDRIP and the provisions of the UNDG Guidelines and other international instruments. 3. To be able to elaborate concepts that may not be clear to the participants.
	METHODOLOGY	<p>Distribute individual evaluation sheets to the participants. Also conduct a plenary discussion on the knowledge that the participants have gained so far and issues that need further elaboration.</p> <p>Collect the evaluation sheets and compile them along with the results of the plenary discussion as reference for improvement/replication in future trainings.</p>

Strategy planning how to promote UNDRIP	Duration	<p>2 hours</p> <p><i>(1 hour, 15 mins. Group work and 45 mins. plenary session)</i></p>
	Specific objectives	<ol style="list-style-type: none"> 1. To be able to come up with targeted plans on the national and local levels to promote UNDRIP and its key provisions. 2. To consider advocacy strategies for governments to implement the provisions of UNDRIP.
	METHODOLOGY	<p>Group the participants according to their province/sectors/localities and ask them to write activities they plan to undertake to promote UNDRIP. Discuss the results in a plenary session.</p>



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3 DAY TRAINING



TIMETABLE SUMMARY/3 DAYS TRAINING*

DURATION	TOPIC
DAY 1	
30 mins.	Preliminaries
30 mins.	Introduction to the training, training objectives and expectations
1 hour <i>(30 mins. input and 30 mins. discussion)</i>	Overview of UNDRIP
2 hours, 30 mins. <i>(30 mins. input and 1 hour, 30 mins. group work and 30 mins. presentation)</i>	Module 1: Self-determination and self-governance
3 hours <i>(30 mins. input, 1 hour presentation by participants on their land and natural resource management systems, 1 hour group work and 30 mins. plenary)</i>	Module 2: Land, territories and resources
30 mins.	Wrap up
DAY 2	
30 mins.	Recap of the previous day's session
3 hours, 30 mins. <i>30 mins. input Exercises Development: 1 hour group exercise and 30 mins. presentation FPIC: 1 hour group exercise and 30 mins. Presentation</i>	Module 3: Development and FPIC
3 hours, 30 mins. <i>(30 mins. input, 1 hour group exercise, 1 hour presentation on the results of the group work and 1 hour plenary discussion)</i>	Module 4: Cultural rights
30 mins.	Wrap up



**3 DAY
TRAINING**

* See *Timetable Summary for 1 Day Training* on page 3 and *Timetable Summary for 2 Day Training* on page 25.

DAY 3

30 mins. Recap of the second day's session

3 hours and 45 mins. Module 5:
(1 hour input, 30 mins. Q&A, 15 mins. group exercise on human rights, 30 mins. presentation, and 1 hour panel presentations from representatives of indigenous women, youth, elderly, migrants and disabled sectors and 30 mins. discussion)

30 mins. Wrap up/summary

45 mins. Evaluation of the training

2 hours, 30 mins. Strategy planning how to promote UNDRIP
(1 hour, 45 mins. group work and 45 mins. plenary session)

TOTAL: 24 hours



FACILITATOR'S GUIDE

DETAILED TRAINING CONTENTS FOR THREE DAYS	
Duration	3 DAYS
General objectives	<ol style="list-style-type: none"> 1. To increase the understanding of collective rights and UNDRIP as a tool for advocacy. 2. To increase understanding of rights and principles contained in UNDRIP. 3. To plan and develop a strategy on the promotion of UNDRIP at the local level.
General outline	<ol style="list-style-type: none"> I. Introduction – brief historical context of UNDRIP. II. UNDRIP core articles. III. UNDG Guidelines on Indigenous Peoples Issues and UN Common Understanding on the Human Rights–Based Approach to Development. IV. Other related international human rights instruments – ICCPR, ESCR, ICERD, ILO 169. V. National laws, local laws and good practices. VI. Key challenges.
Materials	Metacards, craft paper, Pentel pens, chalk and board, Scotch tape, flip charts
List of references	Human Rights Principles that Guide Development United Nations Philippines Rights–Based Development: Training Manual, July 2002 <ol style="list-style-type: none"> 1. <i>Training Manual on the UNDRIP</i>, AIPP 2. <i>Making the UNDRIP Work</i>, IWGIA 3. <i>Concept Book on Indigenous Peoples in Asia</i>, by Christian Erni 4. <i>Community Guide to UNDRIP</i>, Australian Human Rights Commission, 2010



**3 DAY
TRAINING**

DAY 1	Preliminaries	Duration: 30 mins.
	METHODOLOGY	
	Introduction	<p>Participants introduce themselves by telling their name, indigenous identity and organization. They also write their names on name tags and wear them for the duration of the training.</p> <p>Other fun-type introduction exercises could also include:</p> <ul style="list-style-type: none"> • Introduction exercise 1: Participants tell their names and characterize letters in their name (e.g., Eve – Ever helpful, Very nice, Ever smiling). • Introduction exercise 2: Participants tell their names and spell it with their hands/body (e.g., YMCA). <p>If there is a team of facilitators, they should be introduced at this point and advise the topics for which they will be responsible. All members of the training team should also be introduced and also outline their specific tasks.</p> <p>Following introductions, relevant logistics information should be shared by the host of the training or facilitator to include schedules, meal times, accommodation arrangements, materials, translations, use of equipment/facilities, among others (the logistical information should be prepared ahead of the training).</p>
	Introduction of the training, setting objectives and expectations	Duration: 30 mins.
METHODOLOGY		
Setting objectives and expectations	<p>The objectives and training schedule should be outlined and explained to the participants and a copy could either be handed out to the class or placed on the board for the participants.</p> <p>Participants also list their expectations of training which should be placed on the board and summarized so they correspond to various areas in the training module to indicate attempts to reach everyone’s expectations (where possible).</p> <p>The facilitator should also present expectations of the participants such as active participation, respecting the views of others, etc.</p> <p>Briefly discuss the participants’ handbook and how the sessions are divided. Make sure there are extra pens and papers for making notes (in some instances, give the participants time to write so they can concentrate on the lectures and discussions).</p> <p>Copies of UNDRIP, ILO C169 and the undg Guidelines should be made available to the participants so they can follow the discussions.</p> <p>Divide the participants into groups and assign them small tasks for the duration of the training. Tasks could include making sure all participants are in the session hall; materials are given to everyone; assisting in pasting craft paper and other materials to the board, walls, etc.</p> <p>Another group could be the “ice breaker” group that prepared exercises to break up heated discussions, to “wake up” the class if participants are feeling tired, to energize the participants following lunch breaks, etc.</p> <p>Another group could be assigned as timekeepers and cleaners of the session hall.</p>	



Overview of the United Nations Declaration on the Rights of Indigenous Peoples	
Duration	1 hour <i>(30 mins. input and 30 mins. discussion)</i>
Specific objectives	<ol style="list-style-type: none"> 1. Provide an overview of UNDRIP as an international instruments on the rights of indigenous peoples. 2. Provide basic understanding in terms of the structure of UNDRIP (preambular section and articles) and its contents.
Key messages	<ol style="list-style-type: none"> 1. Present an overview of the contents of UNDRIP. <ol style="list-style-type: none"> a. Preambular section. b. Articles. 2. Cluster articles into thematic areas and consider indigenous peoples' collective rights in each of the thematic areas. 3. Present UNDRIP as part of the international human rights instruments that also defines the obligations of states in respecting these rights.
METHODOLOGY	
	<ol style="list-style-type: none"> 1. Ask participants to write on metacards 1-2 examples of the collective rights of indigenous peoples. Collect the metacards and post on the wall. This will be referred to in the later section of this topic. 2. Present a brief history of UNDRIP, in particular the engagement of indigenous peoples in the drafting stage and until its adoption in the United Nations General Assembly in September 2007. 3. Outline the general content of UNDRIP. 4. Make a summary of the collective rights of indigenous peoples by theme – self-determination, land, territories and resources, cultural integrity, etc. 5. Present UNDRIP as part of the international human rights instruments as the minimum standard for respecting indigenous peoples' rights. 6. Clarify any thoughts, queries, etc. about UNDRIP in general (e.g., its context as an international instrument and on the general content). Specific questions on the various articles will be taken up in the other sections of the training.



MODULE 1: Self-determination and self-governance					
Duration	2 hours and 30 mins. <i>(30 mins. input, 1 hour, 30 mins. group work, and 30 mins. presentation)</i>				
Specific objectives	<ol style="list-style-type: none"> 1. At the end of the session, the participants will be able to understand concepts such as the right to self-determination and self-governance. 2. The participants should be able to cite examples of how these rights are practiced in their areas and how indigenous peoples' organizations/groups are implementing UNDRIP at the local and national levels. 3. Participants will be able to articulate how their organizations/groups are meeting the challenges in exercising their rights as set out in UNDRIP. 				
Key messages	<ol style="list-style-type: none"> 1. Present the core principles on the right to self-determination and self-governance. 2. Enumerate provisions from the various international instruments addressing these right. 3. Provide actual examples of how these rights are exercised (e.g., regional autonomy in Nicaragua, autonomy provisions in India etc.). 				
METHODOLOGY					
I. Introduction – brief historical context	<p>Introductory lecture on the module and outline the historical context of UNDRIP. Localize UNDRIP to the national and regional situation. Ask questions for participants to answer.</p> <p>Write on the board or on Manila paper the dates when the various human rights covenants and declarations were adopted by the United Nations. Go back to these throughout the session especially on the section of other international instruments.</p> <p>Emphasize the two core principles necessary for the exercise of indigenous peoples' rights related to: (a) non-discrimination and equality and (b) accountability. Explain what these entail and how it is practised.</p>				
II. UNDRIP core articles	<p>Exercise: Participants write on paper one of the articles of UNDRIP. Have them explain in their own words how these articles apply to their communities.</p> <p>Exercise: Divide the participants into two groups. Have one side take the positive side and the other take the negative side. The positive side will enumerate all the positive incidents, laws, practices in their communities related to the right to self-determination. The negative side will enumerate all the negative implementation, incidents and practices in their communities.</p> <p>Participants to write their main points on Manila or craft paper and post it in the board for further discussion.</p> <p>Discuss the table below.</p> <table border="1"> <tr> <td>Issues</td> <td>Self-determination, self-government, autonomy, self-management</td> </tr> <tr> <td>Basic information</td> <td> <p>The long traditions of indigenous peoples' forms of self-government have been interrupted, limited or denied by colonial or post-colonial states.</p> <p>In recent years, there have been attempts to re-establish forms of self-determination and self-governance through mutual agreements between states and indigenous peoples where indigenous peoples and communities determine</p> </td> </tr> </table>	Issues	Self-determination, self-government, autonomy, self-management	Basic information	<p>The long traditions of indigenous peoples' forms of self-government have been interrupted, limited or denied by colonial or post-colonial states.</p> <p>In recent years, there have been attempts to re-establish forms of self-determination and self-governance through mutual agreements between states and indigenous peoples where indigenous peoples and communities determine</p>
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*II. UNDRIP core articles
(continued)*

their own futures in accordance with their own processes, and in line with key principles of the UN Declaration on the Rights of Indigenous Peoples. Self-determination expressed in this way is vital for the continued existence of indigenous peoples as distinct peoples.

Guiding principles

The principle of self-determination can be implemented in practice through a range of mechanisms including the following:

- Autonomy arrangements.
- Self-government.
- Self-management.
- Control over or input into basic services such as education and health.
- Recognition and maintenance of traditional and political decision-making bodies and legal systems.
- Full and effective participation in public life.

These arrangements require states and indigenous peoples to agree on appropriate terms and conditions for such actions. It has been noted that negotiated settlements are being increasingly discussed and could form the basis for reconciling past relationships between states and indigenous peoples.

The UN Declaration on the Rights of Indigenous Peoples calls on states to consult with indigenous peoples to obtain their free and informed consent prior to approval of any project affecting their lands and resources.

Sources: United Nations Declaration on the Rights of Indigenous Peoples, Articles 3, 4, 18, 19, 23 and 32); International Covenant on Economic, Social and Cultural Rights, Article 1.

III. UNDG Guidelines on Indigenous Peoples Issues and UN Common Understanding on the Human Rights-Based Approach to Development

Discuss the UNDG Guidelines on the Human Rights-Based Approach to Development. Ask the participants to explain how these guidelines might apply to them.

IV. Other related international human rights instruments – ICCPR, ESCR, ICERD, ILO 169

Summarize the instruments and concepts as listed below. Prepare a .ppt or .odp file to show the participants the summarized format. If there are no computers, write them on Manila paper, craft paper or the blackboard.

The right to self-determination and governance may be expressed through:

1. Autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions. In other cases, indigenous peoples seek the conditions for self-management.
2. Respect for the principle of free, prior and informed consent. This principle implies that there is an absence of coercion, intimidation or manipulation, that consent has been sought sufficiently in advance of any authorization or commencement of activities. Further, there is respect for the time requirements for indigenous consultation/consensus processes and that information on the likely impact of the actions being negotiated have been provided and understood.
3. Full and effective participation of indigenous peoples at every stage of any action that may affect them directly or indirectly. The participation of indigenous peoples may be through their traditional authorities or a representative organization. This participation may also take the form of co-management.



IV. Other related international human rights instruments – ICCPR, ESCR, ICERD, ILO 169
(continued)

4. Consultation with the indigenous peoples prior to any action that may affect them, directly or indirectly, and that consultation ensure their concerns and interests match the objectives of the activity or action planned.
5. Formal recognition of indigenous peoples’ traditional institutions, internal justice and conflict-resolution systems, and their socio-political organization.
6. Recognition of the right of indigenous peoples to define and pursue their economic, social and cultural development freely.

EXERCISES

<p>Group exercise — 1 hour, 30 minutes</p>	<p>Participants to be divided into groups to discuss the following:</p> <ol style="list-style-type: none"> 1. What are their indigenous/traditional systems of governance/decision-making institutions and customary laws? 2. What are their traditional systems in maintaining peace, security and cooperation among the members, and how do they relate with other indigenous peoples or outside groups? 3. What are the threats and challenges to the exercise of their governance system? 4. How should these threats and challenges be addressed to strengthen their self governance in order to be able to exercise and assert their right to self-determination?
<p>Presentation of groups — 30 minutes</p>	<p>Facilitator to do a summary with emphasis on the threats and challenges and how these are to be addressed in relation to their right to self-determination.</p>



MODULE 2: Land, territories and resources

Duration	3 hours <i>(30 mins. input, 1 hour presentation by participants on their land and natural resource management systems, 1 hour group exercise and 30 mins. presentation of the results of the group exercise)</i>												
Specific objectives	<ol style="list-style-type: none"> 1. To increase understanding of indigenous peoples' rights to land, in particular those aspects that are crucial to indigenous peoples' identity and survival. 2. To increase understanding of indigenous peoples' rights to land and resources and how these rights can be protected by UNDRIP, other international and local laws. 3. To identify areas for implementation and how these can be better addressed. 												
Key messages	<ol style="list-style-type: none"> 1. Present the principle of the right to land, territories and resources as one of the key areas of indigenous peoples' rights. 2. Present the challenges in implementing this right. 												
METHODOLOGY													
	Objective setting. At the start of the session, explain the objectives.												
I. Brief historical context	<p>Exercise: Before the session, ask the participants to name the resources found in their territories. How are these resources protected by the communities? How are these resources passed on to the next generation?</p> <p>Discuss the historical context of the right to lands, territories and resources. Elicit discussions from the participants to contribute to the discussion.</p> <p>Discuss the core principles of the right to lands, territories and resources:</p> <ol style="list-style-type: none"> a. Mutual respect and consensus. b. Participation and intervention. c. Development. <p>Exercise: Ask the participants if the community has a zoning system/boundary for their territories. Ask them to draw the zoning/boundary system on the board.</p>												
II. UNDRIP core articles	<p>Exercise: Have the participants read some articles and let them explain and related this article to their situation, experiences and concerns. Make sure to have both men and women participate, and include youth. Write the articles in small pieces of paper and choose participants to pick a piece of paper with a particular article. They should be given 5 minutes to gather their thoughts before their presentation.</p>												
III. UNGD Guidelines on Indigenous Peoples' Issues and UN Common Understanding on the Human Rights–Based Approach to Development	<p>Discuss the UNGD Guidelines on the Human Rights–Based Approach to Development.</p> <p>TABLE 1. Have the participants fill in the table below:</p> <table border="1"> <thead> <tr> <th><i>MATERIALS/RESOURCES</i></th> <th><i>What are the national laws, policies and programmes affecting their lands, territories and resources (give both positive and negative examples)</i></th> </tr> </thead> <tbody> <tr> <td>LANDS and RESOURCES</td> <td></td> </tr> <tr> <td>FOREST</td> <td></td> </tr> <tr> <td>CULTURAL ARTIFACTS, SPIRITUAL SITES</td> <td></td> </tr> <tr> <td>HISTORICAL SITES</td> <td></td> </tr> <tr> <td>MINERAL WEALTH</td> <td></td> </tr> </tbody> </table>	<i>MATERIALS/RESOURCES</i>	<i>What are the national laws, policies and programmes affecting their lands, territories and resources (give both positive and negative examples)</i>	LANDS and RESOURCES		FOREST		CULTURAL ARTIFACTS, SPIRITUAL SITES		HISTORICAL SITES		MINERAL WEALTH	
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FOREST													
CULTURAL ARTIFACTS, SPIRITUAL SITES													
HISTORICAL SITES													
MINERAL WEALTH													



<p><i>III. UNDG Guidelines on Indigenous Peoples' Issues and UN Common Understanding on the Human Rights-Based Approach to Development</i> (continued)</p>	<p>GROUP WORK:</p> <p>In groups, participants to discuss the following:</p> <ol style="list-style-type: none"> 1. What are their traditional resource management systems? 2. What is the role of community members in the traditional resources management systems? 3. What are the key steps/actions required to strengthen their traditional systems of resources management?
<p>IV. Other related international human rights instruments – ICCPR, ESCR, ICERD, ILO 169</p>	<p>Have the participants read the articles and then explain how they best understand them.</p> <ol style="list-style-type: none"> A. International Covenant on Economic, Social and Cultural Rights (ICESCR) B. ILO 169 or C169 Indigenous and Tribal Peoples Convention, 1989
<p>V. Examples of good practice/national laws/policies</p>	<p>Based on the table above, ask participants to present any national laws and policies that protect land, territories and resources.</p> <p>Exercise: Have the participants read these articles from the Anchorage Declaration of 24 April 2009 and then discuss whether they have similar laws related to these key issues. What are they doing as indigenous peoples organizations to achieve, actualize and have their legislature create laws related to these?</p> <p><i>Paragraph 11. We call on States to recognize, respect and implement the fundamental human rights of Indigenous Peoples, including the collective rights to traditional ownership, use, access, occupancy and title to traditional lands, air, forests, waters, oceans, sea ice and sacred sites as well as to ensure that the rights affirmed in Treaties are upheld and recognized in land use planning and climate change mitigation strategies. In particular, States must ensure that Indigenous Peoples have the right to mobility and are not forcibly removed or settled away from their traditional lands and territories, and that the rights of Peoples in voluntary isolation are upheld. In the case of climate change migrants, appropriate programs and measures must address their rights, status, conditions, and vulnerabilities.</i></p> <p><i>Paragraph 12. We call upon states to return and restore lands, territories, waters, forests, oceans, sea ice and sacred sites that have been taken from Indigenous Peoples, limiting our access to our traditional ways of living, thereby causing us to misuse and expose our lands to activities and conditions that contribute to climate change.</i></p>
<p>VI. Key challenges in implementations</p>	<p>Plenary discussion: What are the key challenges and threats towards the exercise and respect of the rights of indigenous peoples on their lands, territories and resources?</p>



<p>Day 1 Wrap up</p>	<p>Duration</p>	<p>30 mins.</p>
	<p>METHODOLOGY</p>	<p>Ask 5-6 participants to present their reflections on the day's activities: What have they learned, what was new to them, what are their impressions of the training so far, what do they think needs further elaboration?</p>

DAY 2	Recap of the first day	Duration: 30 mins.
	METHODOLOGY	
		Select 5 participants and ask them to reflect on what they have learned so far regarding the general overview of UNDRIP, the right to self determination and self governance and the right to land, territories and resources in relation to their actual experiences and issues.

MODULE 3: Development and FPIC

Duration	3 hours 30 mins. input Exercises Development: 45 mins. group exercise and 30 mins. presentation FPIC: 45 mins. group exercise and 60 mins. presentation
Specific objectives	<ol style="list-style-type: none"> To introduce participants to the pertinent provisions related to development and FPIC. To be able to cite examples of how indigenous peoples' organizations/groups are meeting the challenges posed by encroachment onto their lands and territories especially if no FPIC was required by the state. To be able to formulate a plan of action for engaging state or duty-bearers on FPIC.
Key messages	<ol style="list-style-type: none"> Provide the core principles of FPIC and the right to development as an exercise of the right to self-determination of indigenous peoples. Provide the legal framework of FPIC and the right to development.
METHODOLOGY	
	<p>Objectives setting:</p> <p>Ask the participants if they have questions on the topic before you start the lecture/discussion.</p> <p>Explain the objectives for the session.</p>
I. Brief historical context	<p>Discuss the context of the right to development and free, prior and informed consent.</p> <p>Exercise: Have the participants develop a problem tree. Let them categorize the problems as to those that are currently being addressed and those that still need to be addressed. Use the results of the problem tree later in the last part of this module. With this exercise, participants enumerate the problems their communities and organizations encounter. Interventions will be discussed at the later part of the module.</p>
II. UNDRIP core articles	<p>The participants read the core articles. Select participants who will read out key articles and explain these according to their understanding, and to relate it with their situation, issues and concerns.</p> <p>Before providing the input on FPIC, participants to write their understanding of FPIC in a metacard, and post this on the board or wall. Provide the input on FPIC and relate it to what the participants have written.</p>



**3 DAY
TRAINING**

*II. UNDRIP core articles
(continued)*

Table 1. Use the following table to explain the concept of FPIC. Write this on Manila or craft paper. Ask participants if there has been FPIC process in their communities.

Free	No coercion, intimidation or manipulation.
Prior	Time requirements of indigenous consultation/consensus processes were sufficiently considered and respected, thus advanced consent has been obtained before commencing activities.
Informed	The following aspects of information are provided: the nature of the proposed project or activity; the reasons or purpose of the project or activity; the duration; areas to be affected, preliminary assessment of possible impact, potential risk, benefits; personnel likely to be involved including the indigenous peoples, and procedures that the project will entail.
Consent	The demonstration of clear and compelling agreement which is reached with the full and effective participation of the authorized leaders, representatives or decision-making institutions as decided by the indigenous peoples themselves.

III. UNDG Guidelines and the UN Common Understanding on the Human Rights-Based Approach to Development

Explain the UNDG guidelines and HRBA to development.

IV. Other related international human rights instruments – ICCPR, ESCR, ICERD, ILO 169

Read the articles of the ILO 169, the International Covenant on Social, Economic and Cultural Rights and other international instruments and how they deal with indigenous peoples’ rights.

V. Key challenges

1. What information is required by indigenous communities, and how should this be delivered, in order to ensure informed collective decisions?
2. How to ensure that indigenous peoples’ decision-making processes are independent from external interference and manipulation?
3. How to ensure that indigenous peoples are given the time and space for their own deliberations in order for community members to express their views and concerns freely without fear or reservation, and to determine and conduct their own decision-making processes collectively.
4. Capacity-building for indigenous peoples and their communities to negotiate FPIC including all members of the community, especially women and youth.

VI. Key messages

1. Express deep concern that the economic policies of states under the pressures of globalization, international finance capital and lending agencies accentuate internal colonization of indigenous peoples homelands, exploitation of their natural resources by national and multi-national corporations, exploitative tourism, harmful structural adjustment and unwarranted cutbacks to social services. The result of such action often leads to forced dislocation, impoverishment and human rights violations such as debt, bondage, forced labour, force prostitution and child labour.
2. Express deep concern about state-sponsored transmigration of impoverished groups into the homelands of indigenous peoples that leads to the appropriation of lands and resources and results in displacement and marginalization of indigenous peoples threatening their physical and cultural survival.
3. Express deep concern at the human rights violations of indigenous peoples, such as racism, and the imposition of the dominant paradigm by the agencies of the state which threatens indigenous peoples’ identity, cultures, values and ethos.



EXERCISE

In groups, the participants are given specific cases (examples are in the annex). One case will deal with the information required to be able to make an informed decision. The other group will deal with undertaking their own decision-making processes. Provide feedback on the results of the group exercise.



MODULE 4: Cultural rights

Duration	3 hours, 30 mins. <i>(30 mins. input, 1 hour group exercise, 1 hour presentation of the results of the group work and 1 hour plenary discussion)</i>
Specific objectives	<ol style="list-style-type: none"> 1. To increase the participants' understanding of their cultural rights. 2. Knowledge of the provisions in UNDRIP, ILO C169, UNDG Guidelines and other relevant treaty monitoring bodies addressing cultural rights. 3. Understand the challenges in implementing indigenous peoples' cultural rights.
Key message	Culture is a basic component of indigenous identity because it is what distinguishes a people. The indigenous people's cultural integrity is manifested through the expression of their way of life and thinking, their world view and the use of their language. The various cultural forms they create and practice such as their literature both written and oral, music and arts are products of their environment and their perception of the world. Cultural integrity is hinged on the right to self-determination which enables indigenous peoples to assert the existence of their economic systems and their systems of self-government.

METHODOLOGY

I. Introduction – brief historical context	<p>Opening question to participants: WHAT does CULTURE mean to you? In order to make the topic more interesting, ask the participants to consider some traits of their distinct cultures (song, dance, etc.) and ask them the significance/importance of their cultural practices.</p> <p>Objective setting: Explain the aims of the workshop and then summarize the different responses to the opening question.</p> <p>What are the components of culture? Focus on the culture of indigenous peoples and how they have practiced this over many periods and places.</p> <p>Cite the historical evidence and accounts where indigenous peoples' cultural rights have been violated.</p> <p>Exercise: Participants to form two groups. One group to identify aspects of their culture that have been changing or eroding; while the other group identifies aspects of their culture that are still in existent and being practiced by the community. Results are to be written on craft paper and presented at a plenary.</p>
II. Scope and core principles	<p>Ask the participants their observations of their cultural practices and the extent to which they are exercising these practices.</p> <p>Enumerate the rights relevant to culture and evoke reactions or discussion from participants:</p> <ul style="list-style-type: none"> • The freedom to persist in, and also to develop, their own language, world view, religion or belief system and spiritual traditions, philosophy and ethical system; knowledge and learning systems, science and technology; customs, practices or habitual ways of doing things; music, literature, performing, visual and other arts. • The right to the recognition of their "ownership" or "authorship" of the above; • The right to their heritage as embodied by and transmitted through their history and oral traditions; artifacts and archaeological sites; education in these and in their culture as a whole;



<p><i>II. Scope and core principles (continued)</i></p>	<ul style="list-style-type: none"> • The right to respect their culture and its integrity; the right not to be forced or pressured into acculturation — i.e., to being assimilated or integrated into another, usually more dominant, culture and, in the process, losing their own; the right not to be discriminated against; the right not to have their culture, or even just aspects of it, prostituted; • The right to legal redress for preventing or stopping the violation of the above, and for restitution (including restoration or reparation) for ongoing or past violations. <p>Then explain how these principles would assert indigenous peoples’ cultural integrity.</p> <p>Exercise: Participants can be asked to illustrate on the board or on craft paper how they perceive culture and its relation to their identity and distinct ways of life and how the youth/young people are practicing/ignoring their cultures.</p>
<p>III. UNDRIP core articles on cultural rights</p>	<p>Ask the participants about their level of awareness on UNDRIP provisions on culture. Let them cite a few, if familiar.</p> <p>Present UNDRIP provisions on cultural rights. Let the participants read each provision aloud. Allow for discussions; ask for illustrations or examples of UNDRIP provisions.</p> <p>Specifically for Article 31, ask participants for concrete measures on these:</p> <ol style="list-style-type: none"> 1. Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge and traditional cultural expressions. 2. In conjunction with indigenous peoples, States shall take effective measures to recognize and protect the exercise of these rights.
<p>IV. Other related international human rights instruments</p>	<p>Aside from UNDRIP, ask participants if they are familiar with other legal instruments that allow or provide for the recognition of cultural rights?</p> <p>Enumerate and explain the following:</p> <ul style="list-style-type: none"> • International Convention on the Elimination of All Forms of Racial Discrimination. • International Covenant on Economic and Social Cultural Rights. • Multilateral Convention on Biological Diversity. • UNESCO provisions on culture. • International Labour Organization Conventions 107 and 169 provisions on indigenous and tribal people’s culture.
<p>V. Reference to UNDG Guidelines and HRBA</p>	<p>Guiding Principles concerning Traditional knowledge, intellectual property, intangible heritage and cultural expressions</p> <ul style="list-style-type: none"> • Indigenous peoples’ rights to control, own and manage their traditional knowledge and creativity are recognized, although in practice they remain difficult to implement. • Indigenous peoples have the right to use and preserve their languages and states should respect this right. • Specific legal regimes need to be established to ensure that indigenous peoples are able to benefit from their own knowledge, prevent its unlawful use by others and obtain the rightful recognition by the international community.



V. Reference to *UNDG Guidelines and HRBA*
(continued)

- States are called upon to create an environment that encourages individuals and social groups to create, produce, disseminate, distribute and have access to their own cultural expressions, paying due attention to the specific circumstances and needs of indigenous peoples.
- They are furthermore called upon to ensure the widest possible participation of communities to maintain and transmit their intangible heritage, if so wished by the peoples involved, and involve them in a meaningful way in its management.

Guiding Principles concerning Education

- Indigenous peoples have the right to all levels of education and to develop their own educational facilities, if they so wish.
- Education should be culturally appropriate to indigenous children, adapted to their cultures, and bilingual when appropriate.
- Education should also have the broader objective of eliminating prejudices against indigenous peoples.
- In some countries special measures have been taken to improve indigenous peoples’ access to education including for nomadic and semi-nomadic peoples.

In some countries, intercultural education is seen as the means to give recognition to indigenous cultures in the wider education system.

VI. Examples of national laws/policies/good practice

Ask the participants to cite laws or instruments that allow for the practice or observation of cultural forms in their own communities. Then cite laws in other countries. An example would be that of India where the government holds cross-district cultural exchange festivals among students, in an affirmation of diversity. Or in the Philippines, the Indigenous Peoples’ Rights Act (IPRA) spells out these rights. The IPRA allows indigenous communities to exercise control over the education of their children. Whether in the schools that the communities themselves have established or in those that were built within their locality by a church or by the government, teachers are allowed to conduct lower grade classes in the indigenous languages so that students can grasp basic ideas more readily. Also, the communities can intervene when false information and discriminatory ideas about their people and history is part of the school curriculum.

Do participants have similar experiences where laws and policies are directed towards the recognition of cultural rights? See annex for some examples.

VII. Key challenges in implementation

GROUP EXERCISE:

GROUP I: Ask the participants what programme of action they can launch in relation to the assertion of their cultural rights to counter-act the commercialization of their culture.

GROUP II: Participants to discuss how the indigenous youth of today can be taught/how to learn their culture and be proud of their culture and be more engaged in the cultural life/ways of life of indigenous peoples as a form of transfer of indigenous culture and knowledge.

Draw out from them strategies and mechanisms they can help implement in their own communities and/or organizations that would put substance to the assertion of cultural rights.

What are the key requisites in realizing the provisions in UNDRIP on cultural rights.

Some suggested strategies for participants to bring home as a programme of recommendation and action:

1. Information dissemination, education on cultural rights not only among indigenous communities but also among the wider population.



VII. Key challenges in implementation
(continued)

2. National, local status assessment, problem identification and strategizing, lobbying national, local legislative bodies to address cultural rights as articulated in UNDRIP.
3. Drumming up support for the lobby through media community and petition-signing campaigns, etc.
4. Following successful lobbies, educating local and national executive/enforcement authorities, also educators, mass media practitioners and religious authorities on indigenous peoples' cultural rights: the rights, per se, as contained in UNDRIP, as contained in the national constitution (where applicable), and as provided for in specific national and local laws.
5. Conceptualizing, planning, implementing actions and projects in the exercise of cultural rights and in gaining redress for any violations. Examples of such actions and projects include:
 - » Indigenous roots renewal programme for urban youth;
 - » Textbook-correction and teachers' re-education projects aimed at rectifying discriminatory notions, misconceptions, misinformation, inaccuracies about indigenous peoples and their cultures;
 - » Projects in revitalizing and gaining recognition and respect for indigenous learning systems and institutions;
 - » Community dialogues, discussions with educational and religious authorities, media practitioners;
 - » Campaign for the return of religious, other sacred, historical and other culturally important artifacts in museums, collections, laboratories;
 - » Campaign for the return of human remains in museums, collections, laboratories;
 - » Campaign for the International Rice Research Institute, other plant-breeding institutions, commercial seed companies to return and help communities re-propagate the seeds they have taken, purportedly for ex-situ conservation, then replaced with their own Green Revolution seeds or hybrids;
 - » Campaign for the revocation of private individual or corporate, or institutional patents to genetic resources for food and medicine which can be identified and ascertained as material originally discovered, domesticated/cultivated, bred/developed, and propagated by indigenous communities;
 - » An alternative option would be to demand to be given a just share of the benefits from the use of indigenous peoples' "intellectual property".
6. Cultural practices, traditions and values can play a critical role in sustainable development, gender equality and human rights:
 - » Assist in promoting cultural and social values that maintain indigenous peoples' identities.
 - » Use advocacy and communication tools or channels that are tailored to indigenous peoples' values and norms.
 - » Understand and promote cultural diversity in society as a resource for development.
 - » Identify and promote culturally sensitive alternatives where appropriate.
 - » Ensure data are disaggregation.
 - » Indigenous cultures are not static; they are changing and capable of adapting – however, these changes should not be forced but should result from the aspirations of the community itself.



**3 DAY
TRAINING**

EXERCISE	
	In a plenary discussion, discuss with the participants what can be done to protect, revive and strengthen the culture of indigenous peoples.

Day 2 Wrap up	Duration	30 mins.
	METHODOLOGY	Ask 5-6 participants to present their reflections on the day's activity: what have they learned so far, what was new to them, what are their impressions on the training so far, and what do they think requires further elaboration?



DAY 3	Recap of the second day	Duration: 30 mins.
	METHODOLOGY	Present a summary of the first day, and elaborate on any items identified by participants.

MODULE 5: Special concerns: human rights and special sectors

Duration	3 hours and 45 mins. <i>(1 hour input, 30 mins. Q&A, 15 mins. group exercise on human rights, 30 mins. presentation, and 1 hour panel presentation from representatives of the women, youth, elderly, migrants and disabled sectors and 30 mins. discussion)</i>
Specific objectives	<ol style="list-style-type: none"> 1. To understand the key concepts of human rights and the rights of those belonging to the special sector. 2. To know the provisions in UNDRIP, ILO C169, UNDG Guidelines and other relevant treaty monitoring bodies addressing human rights and the rights of the special sector. 3. Participants to understand the challenges in the implementation of human rights and the rights of those belonging to the special sector.
Key messages	<p>HUMAN RIGHTS: Human rights are premised on the concept that all human beings are born free and equal in dignity and rights. All persons are entitled to human rights regardless of race, colour, gender, language, age, religion, political or other opinion, social origin, property, birth or other status.</p> <p>Human rights define the needs of people and recognize them as active subjects and claim-holders.</p> <p>Indigenous peoples are entitled to the full range of universal human rights established under international law and have distinct collective rights as peoples. They should not be subject to any form of discrimination, should receive equal treatment, should be able to participate fully in public life, and have a right to maintain their distinctive identities, cultures, languages and ways of life and to be assured of dignity and equality. These rights are established in the UN Charter and the subsequent human rights treaties.</p> <p>The Declaration on the Right to Development states that “every person and all peoples are entitled to participate in, contribute to, and enjoy civil, economic, social, cultural and political development in which all human rights and fundamental freedoms can be fully realised”.</p> <p>SPECIAL SECTORS: There are special sectors that need particular attention and support in the assertion of their rights as indigenous people because they are the most marginalized, discriminated against, neglected and most vulnerable to rights violations. They also have their own particular issues and concerns that need to be addressed in the pursuit of equality and dignity for all sectors in society.</p>



METHODOLOGY	
A. HUMAN RIGHTS:	
I. Introduction – brief historical context	Begin the discussion by asking participants their concept or knowledge of human rights. This can be done by asking participants for words that they associate with the concept. Ask them why they came up with these concepts.
II. Scope and core principles	<p>Explain the essential difference between individual and collective human rights.</p> <p>Emphasize: The core international human rights instruments protect the rights of the individual and establish the State's obligations to guarantee, protect and respect such rights. Indigenous peoples' rights seek to protect not only individual but also the collective rights, because recognition of such ensures the continuing existence, development and well-being of indigenous peoples as distinct collectivities. Past experience has shown that unless the collective rights of indigenous peoples are respected, there is a risk that such cultures may disappear through forced assimilation into the dominant society. Through international declarations, and in some cases national laws and regulations, all States are committed to the promotion of cultural diversity.</p>
III. UNDRIP core articles	<p>Via PowerPoint or flash cards or on craft paper, facilitator presents UNDRIP articles. Ideally, participants should be provided with copies of UNDRIP.</p> <p>Facilitator can ask participants to cite cases where articles have been observed or violated. This can be done individually or as a group discussion.</p>
IV. Other international and national human rights instruments	<ol style="list-style-type: none"> <i>Universal Declaration of Human Rights 1948</i> <i>Convention on Civil and Political Rights</i> (Adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966) <i>Convention on Economic and Social Cultural Rights</i> (Adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966) <i>Vienna Declaration and Programme of Action, July 1993</i> <p>Other instruments:</p> <ul style="list-style-type: none"> The adoption of ILO Convention No. 169 on Indigenous and Tribal Peoples in 1989. The 2005 Heads of State World Summit, in which governments committed to making progress in advancing the human rights of indigenous peoples. The proclamation by the General Assembly of the Second International Decade of the World's Indigenous People (2005-2014). The adoption of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) by the General Assembly in September 2007. UNDRIP sets out the rights that countries should aspire to recognize, guarantee and implement. It establishes a framework for discussions and dialogue between indigenous peoples and States. The Special Rapporteur on Indigenous Peoples was established by the Commission on Human Rights (now the Human Rights Council) and has the mandate to undertake country visits to gather information and communications regarding violations of indigenous peoples' human rights; to report on trends and take up cases directly with governments in relation to human rights violations; to formulate recommendations on measures to prevent and remedy these violations; and to work in close relation with other special procedures and other human rights bodies.



V. UNDG Guidelines on Indigenous Peoples' Issues and Human Rights–based Approach (HRBA)	
VI. Examples of national laws/policies/good practice	Facilitator asks participants to cite laws in their country that pertain to human rights, or collective rights. As an exercise in distinguishing individual and collective rights, participants can role play.
VII. Key challenges in implementation	Ask participants their positive and negative experiences on the exercise of their rights, whether as individuals or members of an indigenous community. Draw out from them what measures are needed in the protection and assertion of their human rights.
B. SPECIAL SECTORS: WOMEN, YOUTH, ELDERNS AND DISABLED	
I. Introduction – brief historical context	As introduction to the topic, participants are asked to describe briefly the situation of women, youth, elders and the disabled, respectively, in their community. Answers are to be written on craft paper and posted as reference material. Discussion: <ul style="list-style-type: none"> • Indigenous women bear the double burden of discrimination due to their ethnicity and gender. • Indigenous children represent the future of society and should thus be nurtured and their welfare protected. • Indigenous youth are valuable members of indigenous societies because of their physical strength, vigour, fresh ideas, and readiness to learn. They should be guided in their life choices for the interests of their community and society. • Indigenous elders continue to be essential forces in the livelihood and economic activity of indigenous communities. • The disabled should be assisted in developing their abilities in the most varied fields of activities and their integration into society be promoted whenever possible.
II. Scope and core principles	Facilitator can suggest role-playing the following two scenarios. One group portrays society's negative treatment of special sectors while the other group portrays the rights of special sectors and role of duty-bearers.
III. UNDRIP core articles	Assign participants to read the relevant provisions of UNDRIP and briefly explain each article.
IV. Other related international human right instruments	Facilitator has written on craft paper, or PowerPoint, the list of other related instruments pertinent to the rights of the special sectors. Discuss the articles contained in the following: <ol style="list-style-type: none"> a. <i>Universal Declaration of Human Rights</i> b. <i>Convention on Civil and Political Rights</i> (Adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966) c. <i>Convention on Economic and Social Cultural Rights</i> (Adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966) d. <i>Convention on the Rights of the Child</i> (Adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989) e. <i>ILO Convention No. 169</i> (Adopted on 27 June 1989 by the General Conference of the International Labour Organization at its seventy-sixth session)



<p><i>IV. Other related international human right instruments</i> (continued)</p>	<p>f. <i>Convention against Discrimination in Education</i> (Adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 14 December 1960)</p> <p>g. <i>Declaration on the Rights of Disabled Persons</i> (Proclaimed by General Assembly resolution 3447 (XXX) of 9 December 1975)</p> <p>h. <i>Convention for the Elimination of All Forms of Discrimination against Women</i> (1979)</p> <p>i. <i>The Declaration on the Elimination of Violence against Women</i> (1993)</p>
<p>V. Reference to UNDG Guidelines and HRBA</p>	<p>Guiding Principles</p> <ul style="list-style-type: none"> • UNCTs should mainstream gender across all programme activities dealing with indigenous peoples. • UNCTs should emphasize explicit programme components on indigenous women's rights and empowerment of indigenous women at both formal (i.e., laws, policies) and informal (i.e., customs and cultural factors) levels. • See also <i>Guiding Principles under the Right to Cultural Integrity</i>
<p>VI. Examples of national laws/policies/good practice</p>	<p>Facilitator asks participants to cite local and national laws dealing with special sectors/groups and how these are implemented in their localities.</p>
<p>VII. Key challenges in implementation</p>	<p>Participants are asked to say which among the statements below apply to their own experiences in their country. Ask the participants to draw up a list of countermeasures to overcome these challenges.</p> <ul style="list-style-type: none"> • There are still discriminatory provisions on indigenous women, children, youth and elders in national laws and policies. • Overlaps and conflicts among laws and policies lead to double standards and inconsistencies in recognizing the rights of indigenous women, children, youth and elders, such as in conflicting interpretations among government agencies at the national, regional and local levels. • Many countries have existing national bodies on the rights of women and children (e.g., the national commissions for women in India and Indonesia). Such bodies should make special provisions to address the needs of their respective indigenous constituencies, and to include representatives of indigenous women, children, youth and elders in the appropriate national commissions. • The judicial system has many incompatibilities with indigenous systems of law. In many cases, the police and courts show negative biases in delivering judicial remedies to indigenous women, children, youth and elders. • There exist national laws and policies that dwell on the rights of indigenous women, children, youth and elders in many countries. But there is a big gap between the written law and their practical implementation. Many people in government and private companies are not aware or sensitive enough to the situation and concerns of the said special sectors. • Gender equality cannot be met with a singular focus on girls' education, and should be expanded to address reproductive and sexual health and rights, violence against women, women's labour and property rights, and the reduction of women's work. Further, there is a need to guarantee access to resources such as technology, sanitation, water, housing, electricity and transportation. • The role of indigenous women as stewards of indigenous lands and custodians of environmental, technical, scientific, cultural and spiritual knowledge, preserving cultural heritages, important producers of food in communities and custodians of biodiversity for many of the world's ecosystems, must be acknowledged and strengthened. • Indigenous women's expertise must be reflected in all national and international development strategies. Indigenous women, in consultation with their communities and organizations, must be part of the formulation and decision-making processes of sustainable development initiatives.



VII. Key challenges in implementation
(continued)

- Given the prevalence of poverty in indigenous communities, the lack of health and education services, and sometimes the presence of violence, indigenous youth often move to cities or become international migrants for employment and educational opportunities. Some indigenous peoples are confronted with social problems, such as substance abuse, human trafficking, suicides or petty crimes, among children and youth. Registration of births and eligible voters among indigenous youth in indigenous communities requires special support for its implementation.

Day 3 Wrap up/ summary	Duration	30 mins.
	METHODOLOGY	
		Select 3 participants to present their reflections of the day's session – same as the recap of the previous days. Summarize what has been discussed during the session.

Evaluation of the training	Duration	45 mins.
	Specific objectives	<ol style="list-style-type: none"> To assess participants knowledge of UNDRIP. To evaluate the participants enhanced awareness on the key rights enshrined in UNDRIP and the provisions of the UNDG Guidelines and other international instruments. To be able to elaborate concepts that is not clear to the participants.
	METHODOLOGY	
		Distribute individual evaluation sheets to the participants and conduct a plenary discussion on the knowledge that the participants have gained so far and whatever else requires further elaboration. Collect the evaluation sheets and compile them along with the results of the plenary discussion as your reference for improvement/replication in future trainings.

Strategy planning how to promote UNDRIP	Duration	2 hours and 30 mins. <i>(1 hour group work 45 mins. and 45 mins. plenary session)</i>
	Specific objectives	<ol style="list-style-type: none"> To be able to come up with targeted plans at the national and local levels to promote UNDRIP and its key provisions. To develop advocacy strategies towards governments in implementing the provisions of UNDRIP..
	METHODOLOGY	
		Group the participants according to province/sectors/localities they came from and ask them to write activities they plan to undertake to promote UNDRIP. Discuss the results in a plenary session.



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ANNEXES 



SAMPLE POST TRAINING EVALUATION FORM

Name: _____

Organization: _____

What are the skills and knowledge you gained in your participation at the (Title of Training Course)?

What knowledge and skills from the training are most useful to you based on your organization and your national conditions and context?

Were your expectations met?

Yes No

Comment/s:

What are your recommendations that could improve the training in terms of content and methodology?



Using the knowledge and skills you gained from the training, how do you intend to use them to advance/promote the issues of indigenous peoples in your country?

What follow-up work to the training do you intend to do?

What other skills and support do you need to be able to enhance/advance your lobbying and advocacy work for the implementation of UNDRIP in your country?



Thank you!

ANNEX I

CASE EXAMPLE on FPIC:

Konsep Baru, the New Concept, of the State of Sarawak

Since independence in 1963, successive governments in Sarawak have supported plantation schemes designed to promote “development” and the more productive use of land. The first pilot scheme with oil palm was implemented in 1966 and the land development policies then went through various phases in the ensuing decades. The process began with State-owned enterprises on what were considered to be vacant State lands, which ignored customary rights altogether. Since this gave rise to conflicts, the Government switched its approach and initiated State-led ventures on native customary lands which were recognized as such. The aim was to “consolidate” “idle” customary lands and turn them to productive use with the indigenous peoples trained to operate as oil palm small-holders on the schemes. Serious management problems meant these schemes were barely profitable. In the third phase, the Government sought to promote private sector ventures on lands unencumbered by the State of prior rights but again land conflicts brought this initiative to an end. The latest approach seeks to promote joint ventures between the private sector, native peoples and the Government, in which the Government holds native lands in fiduciary trust for development by private companies.

Under the so-called Konsep Baru, the “New Concept”, native land owners with State recognized NCRs are expected to surrender their lands to the State for 60 years to be developed as joint ventures with private companies, in which the State acts as Trustee on behalf of the customary owners. The result is that the companies buy a 60 per cent share in a joint venture, communities are allocated a 30 per cent share in recognition of their contribution of lands, while the State acquires the remaining 10 per cent. However, rather than allow the community shareholders any say in the affairs of the joint venture, instead they are treated as wards of the State. The explanation, according to the Ministry for Land Development which is tasked with implementing the Konsep Baru, is that this arrangement is favoured because it “will give absolute right to the implementing company to manage the plantation WITHOUT interference from the NCR landowners over a period of 60 years”. During those 60 years, the landowners’ interest in the plantation is represented entirely by the State agency that acts as Trustee for the native people. There is a serious lack of clarity about exactly how native landowners get benefits during these schemes and how they can reclaim their lands on the expiry of the lease.

Source: Colchester, Marcus 2010. Palm oil and indigenous peoples in South East Asia. Land acquisition, human rights violations and indigenous peoples on the palm oil frontier. Forest Peoples Programme. http://archive.forestpeoples.org/documents/prv_sector/oil_palm/palm_oil_ips_se_asia_ILC_MC_jul10_eng.pdf.



ANNEX II: FPIC negotiation exercise

This exercise aims to assist you in using FPIC and UNDRIP in negotiating with project developers. The exercise involves two hypothetical scenarios. Scenario 1 is a dam/hydro project. Scenario 2 is a mining project.

Scenario 1: Dam/hydro scheme in the Mekong region

A major dam and hydropower scheme is planned for the south of the Lao People's Democratic Republic. The project developer is a multinational hydropower company called SuperHydro Ltd. The project is still in the planning phase.

The project is known locally as the “Mekong Big Dam”. The developer has secured international finance for the project.

The hydropower company has provided social and environmental impact assessments to the Government, and been advised that they meet all government requirements.

To construct the dam, land will be acquired from indigenous peoples and other non-indigenous affected communities. They will be removed and relocated.

Flooding will cover sacred sites of significant cultural and religious importance.

A resettlement plan has been developed. It is estimated that up to 1,000 people will be resettled. The Government will take responsibility for resettlement. Compensation will be paid.

SuperHydro Ltd. has held several public meetings, and assigned a community liaison officer. A government representative has attended all the meetings.

The project will potentially impact not just those people being resettled, but also other communities who will lose access to the river (and their fishing and farming livelihoods). The “Mekong Big Dam” will potentially impact communities across the border in Thailand.

Reactions from communities have been mixed. Some people think the project may bring benefits and improve their economic prosperity. Others in the community are deeply worried, do not fully understand the impacts, and think negotiation with the project developer, and government representatives is being done by only a few individuals.

Scenario 2: Open cut gold mine in Indonesia

A multinational mining company secured a licence to construct and operate an open cut gold and copper mine in Sulawesi. The company is called “RedRock Mining Ltd.”, and has been operating for 3 years. To construct the mine, land was taken from indigenous peoples.

The company held some community meetings, and the government identified indigenous representatives, and claimed they provided the consent for the mine exploration, construction and operation. Other indigenous peoples claim this was a fake process and did not uphold the right to FPIC by all affected indigenous peoples.

“RedRock Mining Ltd.” provided social and environmental impact assessments to the Government, and was advised they met all government requirements, and the relevant mining law.



The mining company negotiated agreements with the local, provincial and national governments with regard to resource development payments and taxation. This was not made public.

“RedRock Mining Ltd.” recently restructured and separated its operations into many small, mining companies – some wholly owned, others joint ventures. This resulted in further confusion within the community regarding company ownership and ongoing negotiations.

Electricity pylons were constructed across a number of villages to provide power to the mine. Natural forests with unique biodiversity of great cultural and spiritual significance to indigenous communities were cleared to make way for access roads to the mine site.

A resettlement plan was developed by the government, without negotiation or consent, and 500 people were removed and relocated. Compensation was paid, but this was never the issue of importance for the affected peoples who lost their land, livelihoods, and cultural practices and heritage.

Over the years, RedRock Mining Ltd. has provided a number of “benefits” to the community and made ongoing commitments in an effort to secure a “social licence to operate”. However, RedRock Mining has just been acquired (bought) by another multinational mining company and there is no guarantee that these commitments will be honoured by the new mine owner.

Practical exercise

Group dynamics:

Participants divide into four groups. Each group will have no more than 8 participants.

Two groups will work on the dam/hydro scenario, the other two groups will work on the mining scenario.

Each group will have:

- Government representatives: 1-2 people
- Company representatives: 1-2 people
- Community representatives: 4 people
- A trainer/facilitator

Tasks:

Within your group, you will conduct negotiations, with each person playing allocated parts (government, company, community). You can choose who will play each part.

You will be given time to plan your negotiation strategy. It is advisable to allocate a key negotiator, a note taker and someone to report back to the community on the negotiation outcome.

As part of your preparation you should consider:

- The advantages and disadvantages of the project from the perspective of the whole community and the economy.



- Define the process of community decision-making, including those who can participate in the decision-making.
- What conditions or terms are you willing to present to the company and government (if you give consent) to ensure the recognition of the rights and entitlements of the indigenous community.

Time frame:

30 mins.: Planning and preparation with your partner on your key negotiation points.

30 mins.: Negotiation.

30 mins.: Report back to the “community” (four 5 minute reports). The community is the participants.



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